THE WAR OF RETURN

HOW WESTERN INDULGENCE OF THE PALESTINIAN DREAM HAS OBSTRUCTED THE PATH TO PEACE



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Translated into English by Eylon Levy



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In memory of Robert L. Bernstein (1923–2019), who dedicated his life to the pursuit of peace, justice, and human rights for all.

FOREWORD

How could anything new possibly be said about the Arab–Israeli conflict?

As one of the most discussed conflicts on earth, arousing such strong emotions among Jews and Arabs, Christians and Muslims, historians, academics, politicians, and diplomats, it would seem that every detail of the conflict has already been thoroughly examined and debated. Nearly seventy years of failed attempts to solve the conflict, including thirty years of peace negotiations, have left behind an abundance of books, articles, speeches, testimonies—and shattered careers.

Yet, as we discovered in our intellectual, political, and historical journey in the last few years, there is actually much remaining to be said.

We both come from the political left in Israel. Einat was a Member of Parliament on behalf of the Labor party and advised and worked closely with some of Israel's most well-known leaders from the peace camp, including Shimon Peres and Yossi Beilin, the architect of the Oslo Accords. Adi worked as a journalist for a decade for Israel's well-known progressive daily *Haaretz* and identified with Israeli left-wing politics.

Both of us have been very strong proponents of the two-state solution and we have supported all major efforts to reach peace based on this formula. Like many Israelis, we grew up believing that the Palestinians wanted no more and no less than Jews did—the right to self-determination in a state of their own. We believed that once the Palestinians would be able to establish their own state in the West Bank and Gaza Strip, there would be peace.

To us and to many Israelis, especially of the political left, the 1990s were years marked by great hope. These were the Oslo years and the

beginning of the peace process. In 1992, in the first election in which we were eligible to vote, we welcomed the establishment of the Labor-led government under Yitzhak Rabin. This was the government that entered into the Oslo Accords in 1993 with the Palestine Liberation Organization (PLO) and signed a peace agreement with Jordan in 1994. Despite the horrific suicide attacks perpetrated by Palestinians on Israeli civilians following the signing of Oslo, and the assassination of Rabin, Israelis kept hoping for peace. Those were the Israelis who gave Ehud Barak a landslide victory over Benjamin Netanyahu in 1999. Like them, we followed Prime Minister Barak with anticipation as he went to Camp David in the summer of 2000 to carry out his election promise to sign a final peace agreement with the Palestinians.

But like many on the Israeli political left we became increasingly baffled as repeated efforts at reaching an agreement between Israelis and Palestinians kept failing, even though the proposals presented to the Palestinians were in line with what they said they were seeking. The fact that the Palestinians walked away from two concrete and recent opportunities—in 2000 and 2008—to establish their own state, free of settlements, in the West Bank and Gaza Strip, with a capital in East Jerusalem, started to plant serious seeds of doubt in both of our minds. We assumed that a people who seek independence and a state of their own would seize the opportunity when it presents itself.

But not only had the Palestinians not taken either of these two opportunities to make peace with Israel and have a state of their own, what followed, starting almost immediately after Yasser Arafat walked out of the Camp David peace summit in the summer of 2000, was the Second Intifada: a series of sustained and brutal massacres committed by suicide bombers all over Israel in buses, cafes, and streets.

And so we each found ourselves increasingly doubting our basic assumptions about the Israeli–Palestinian conflict—that this was a territorial conflict that could be solved by partitioning the land into two states, that the Palestinians only wanted a state of their own in the territories, and that the Israeli occupation and the settlements were the primary obstacle preventing peace. We asked ourselves, *What went wrong?*

Is it possible that there was something deeper that we were missing? These questions led each of us to start a process of internal soul searching and, more important, external research and fact finding.

What we discovered actually surprised us both. While hiding in plain sight for decades, one of the core issues in the conflict had been almost totally absent from the consciousness of both Israelis and peacemakers around the world.

The issue of Palestinian refugees, and the Arab and Palestinian demand that those refugees be allowed to exercise what they call a "right of return," attracts scant attention. Neither Israel's leaders nor its public, and certainly not the international community, spend very much time discussing it. This is in stark contrast to the other core issues. For example, there is endless discussion of the settlements and the military occupation of the territories, which are indeed important; but the Palestinian refugee issue has barely been subjected to any real strategic discussion. There have been no serious attempts at a resolution, or even efforts to place it on the agenda. The problem, in spite of always being cited as one of the core issues of the conflict, has been essentially hidden from view, relegated to the sidelines, left for some vague future date when all other core issues are resolved.

Yet, we discovered that perhaps of all the core issues it is the refugee issue that actually deserves to be front and center. Our research revealed that the Palestinian refugee issue is not just one more issue in the conflict; it is probably *the* issue. The Palestinian conception of themselves as "refugees from Palestine," and their demand to exercise a so-called right of return, reflect the Palestinians' most profound beliefs about their relationship with the land and their willingness or lack thereof to share any part of it with Jews. And the UN structural support and Western financial support for these Palestinian beliefs has led to the creation of a permanent and ever-growing population of Palestinian refugees, and what is by now a nearly insurmountable obstacle to peace.

The Palestinian demand to "return" to what became the sovereign state of Israel in 1948 stands as a testament to the Palestinian rejection of the legitimacy of a state for the Jews in any part of their ancestral homeland. Our research led us to conclude that practically nothing could be understood

about the Palestinian position in the peace process and the conflict itself—and no effective steps could be taken toward its resolution—without delving deeply into this issue.

Realizing this, we resolved to research, analyze, and describe this issue from its very beginning in the war of 1948 to the present day. By following key historical figures, unearthing new documents, examining key decision points, and providing analyses, our book raises, and answers, the key questions about this overlooked, yet fundamental, issue. Why are there still Palestinian "refugees" from a war that ended seventy years ago? Why do the Palestinians insist that each and every Palestinian refugee, for generations into perpetuity, has an individual and in fact "sacred" right to return to the sovereign state of Israel, despite there being no actual legal basis for it? Who and what prevented the Palestinian refugees from being rehabilitated as the Jewish refugees from 1948 were? Was it a lack of interest or money, or were there other, ideological, motives? Is the "right of return" a real demand or just a Palestinian bargaining chip, which can be bargained away when other demands are met? When Palestinians march for "return" from Gaza in the direction of Israel, what is it they are actually marching for? What does a "right of return" mean in the context of a comprehensive peace accord? And if this demand is real, can we move forward and, if so, how?

In answering these questions, this book tells a tragic story of Western policy repeatedly shooting itself in the foot and working at cross-purposes. The book explores how the United Nations Relief and Works Agency (UNRWA), the very agency charged with caring for the original Palestinian refugees in the immediate aftermath of the war, and that has been sustained for decades by Western funding with billions of dollars, has instead become a major obstacle to peace and a vehicle for perpetuating the conflict.

Reaching the conclusion, step by historical step, that UNRWA is part of the problem, and not part of the solution, we call on the international community to dismantle and replace the agency. To that end, our book offers specific policy proposals on how to accomplish this without depriving Palestinians of the social services currently provided by UNRWA.

This book also challenges traditional thinking about the role of diplomats and negotiators in extended conflicts. Whereas the traditional view looks at diplomats and negotiators who do the work of peacemaking by shuttling between capitals, and forcing reluctant sides into one room where they are strong-armed into making concessions, *The War of Return* argues that in order to be effective, these diplomats and negotiators must first and foremost correctly analyze the root causes of the conflict, and then work continuously over time to remove the real obstacles that stand in the way of making peace.

Our book demonstrates that in the case of Israel and the Palestinians, decades of shuttling, strong-arming the sides, and endless hours of negotiations came to naught because none of the diplomats or negotiators truly understood and dealt with the root causes of the conflict, choosing instead to turn away and focus on that which appeared easier. If, as the Jewish sages say, we are not expected to complete the task, but neither are we free to avoid it, then diplomats and negotiators must move away from fruitless pursuits of sham peacemaking in favor of the hard work actually required to attain true peace.

Our interest in Israeli–Palestinian and Israeli–Arab peace is not theoretical. We both live and raise families in Israel. Being in a perpetual state of war with the Palestinians and the Arab world means that every day bears the prospect of a loved one being wounded or killed because of the conflict. It means that we raise children knowing that each one will have to join the army and certainly face war and possibly death. Peace for us is not a dinner-table discussion subject but an existential necessity. It is our fervent hope that in writing this book we contribute in a meaningful way to real and lasting peace.

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We start at the beginning, the events leading up to and surrounding the 1948 war. This first Arab–Israeli war was the one from which Israel emerged as an independent state, and the Arabs as defeated and displaced. It was also the war from which two refugee populations emerged. The hundreds of

thousands of Jewish refugees who fled or were forced out of Arab lands during that time were quickly absorbed by Israel and other countries and began their lives as citizens there. The hundreds of thousands of Palestinian refugees who fled or were forced out of what became Israel, on the other hand, remain, seventy years later, as displaced refugees over generations. It is often argued that the circumstances of the creation of the Palestinian refugee problem were so unique, so unparalleled in their scope and brutality, that it endures to this day. But is this really the case? We begin this book with careful and extensive historical analysis and international comparisons to answer this fundamental question.

1: WAGING WAR

(1948)

Historians may search, but they will not find any nation subjugated to as much torture as ours.

—YASSER ARAFAT

NUMBER OF REFUGEES: 0

A few nights before he fell in battle on April 8, 1948, at the Castel mountain, overlooking the road to Jerusalem, Abd al-Qadir al-Husseini found time to write his son Faisal a poetic letter. “This land of the brave,” wrote the commander of the local Palestinian militia forces in the Jerusalem area during Israel’s War of Independence, “is the land of our forefathers. The Jews have no right to this land. How can I sleep while the enemy rules it? Something burns in my heart. My homeland beckons.”[1]

Abd al-Qadir al-Husseini was an exceptional figure in Palestinian society—his father, Musa, had been mayor of Jerusalem, and his cousin Amin was mufti of the city and the most prominent Palestinian leader during the British Mandate period. Despite this aristocratic lineage, al-Husseini used to go out to battle with his low-ranking soldiers and fight with them shoulder to shoulder. But the spiritual inheritance he left his son Faisal—to vigorously oppose the Jewish bid for independence—was not at all exceptional. It reflected the position of all sections of Palestinian society at the time.[2]

The Arabs and Palestinians would later claim that the 1948 war caused the outrageous injustice of the refugee problem. But this is anachronistic: in fact, the belief that Zionism was an outrageous injustice predated the war and caused the Arabs to violently oppose the Jewish national liberation movement many decades earlier. Before even a single Palestinian had fled his home in the Mandate territory, there prevailed the notion in the Arab world that Jewish sovereignty in the region was a crime against justice. It was this Arab view of Zionism as an inherent injustice that led to the war of 1947–49 and to the creation of the Palestinian refugee problem in the first place.

The Arabs of Mandatory Palestine[3] were divided between village and city, coast and mountain, and they were split between supporters of the Husseini clan and of the rival Nashashibi clan. Nevertheless, they were very much united politically in their rejection of the principle of Jewish sovereignty over any part of the land. At no stage did they accept the Jewish demand for independence, in even part of the Land of Israel. During the years of the Mandate, which was given to Britain in 1920 by the newly created League of Nations to govern the territory in order to establish a national home for the Jewish people,[4] the Arabs had never stopped opposing this goal, seeing the whole land as Arab, and compromise as impermissible.[5]

The violent intercommunal struggle between Jews and Arabs, which started almost at the outset of British rule in the 1920s, eventually exhausted Britain, which decided to refer the question of Palestine to the United Nations after WWII. In a speech in Parliament on February 18, 1947, British foreign secretary Ernest Bevin—known for his hostile attitude to Zionism and the Jewish pre-state community (Yishuv)—explained his country's decision: "His Majesty's Government have thus been faced with an irreconcilable conflict of principles … For the Jews the essential point of principle is the creation of a sovereign Jewish State. For the Arabs, the essential point of principle is to resist to the last the establishment of Jewish sovereignty *in any part of Palestine*" (our emphasis). Bevin understood that this was not a conflict between two national movements, each seeking first

and foremost its own independence, but rather about one group (the Arabs) seeking first and foremost to foil the independence of another (the Jews).[6]

On November 29, 1947, after the UN Special Committee on Palestine (UNSCOP) recommended the partition of Mandatory Palestine, the UN General Assembly voted to partition the land into two states, one Jewish and one Arab.[7] In its explanatory report, the committee wrote that "the basic premise underlying the partition proposal is that the claims to Palestine of the Arabs and Jews, both possessing validity, are irreconcilable, and that among all of the solutions advanced, partition will provide the most realistic and practicable settlement, and is the most likely … [to meet] *in part* the claims and national aspirations of both parties" (our emphasis). By endorsing the partition between a Jewish state and an Arab state, the international community accepted the legitimacy of both Jewish and Arab claims to the land.[8]

The Jewish state was supposed to span 55 percent of the territory of Mandatory Palestine, encompassing most of the Negev Desert, the coastal plain between Rehovot and Haifa, eastern Galilee, the Jezreel Valley, and the northern portion of the Jordan Valley (including the Galilee Panhandle). The Arab state was supposed to include the northwestern Negev, the southern coastal plain around Gaza, the mountainous areas of Samaria and Judea going as far south as Beersheba, and central and western Galilee. Jerusalem was designated as a corpus separatum—a separate region—to be administered by the United Nations.

The Jewish state was supposed to contain a large Arab minority of 450,000 people, which constituted some 47 percent of the population at that given moment. This minority would become a much smaller proportion of the total population as soon as a newly established sovereign state of Israel would finally be able to open the doors to hundreds of thousands of Holocaust survivors: some were waiting in displaced persons camps across Europe, and others were waiting in British internment camps in Cyprus, after the British yielded to Arab pressure and denied entry of the survivors into the land.[9]

The Jewish side responded with enthusiasm. David Ben-Gurion (who would later become Israel's first prime minister) declared the plan to be the

Jewish people's greatest achievement, and Moshe Dayan later recalled that his heart pounded with excitement with every ambassador who said "yes" at the UN vote. In Jerusalem, hundreds gathered outside the National Institutions Building on King George Street. At two a.m., when the result of the vote was known, they started singing and dancing, and packed buses continued bringing more and more Jews to the area. In Tel Aviv, masses thronged to Magen David Square and burst into exuberant song and dance as soon as they heard the result of the vote.[10]

The Zionist movement had initially demanded the whole of Mandatory Palestine (claiming even more at the end of the First World War); but from the mid-1930s, it had begun to consistently express openness to territorial compromise and partition, because its objective was sovereignty. As such, Jewish leaders saw the partition plan as a tremendous achievement that fulfilled the foremost purpose of Zionism: political independence, even if only in part of the Land of Israel. "Our aspirations have been reduced, our territory has been shrunk, and the borders are politically and militarily bad," said Ben-Gurion on December 3, 1947, "but there has never been a greater achievement than this. We have received most of the coastal plain, most of the valleys, most of the water sources in the north, most of the empty spaces, two seas, and recognition of our independence from most of the world."[11]

By contrast, the Arab world completely rejected partition.

In their view, the entire land, carved out from the deceased Ottoman Empire, should have been given for an Arab state. From the beginning of the Mandate, they had tried to prevent Jewish immigration to the Land of Israel through violence, consistently rejecting any possibility of compromise (including the Peel Commission proposal of 1937, the first partition plan).[12] In their minds, the Jews had no political or collective rights in the land, because they were not a nation.[13] At most, they were eligible for the status Islam accords non-Muslims of monotheistic religions: the status of protected persons (*dhimmis*), who may live and retain their property and faith, but must be reconciled to their social and political inferiority to Muslims.[14]

In practice, partition would have meant that out of the 11.5 million square kilometers encompassed by Arab states at the time, many of which were also set in the territory of the Ottoman Empire, some fifteen thousand square kilometers (one one-thousandth) would be allocated to the Jewish people, who were also an indigenous people. In fact, had the Jewish people been allocated their fair share of the lands of the Ottoman Empire, based on their population, the land allocated to them would have been more than seven times larger. Partition also meant that out of sixty million Arabs, a few hundred thousand (a little more than half a percent) would live as a minority in a Jewish state.[15] But for the Arabs, the very idea of a sovereign state where the Jewish people would enjoy international status equivalent to that of Arab and Muslim states was a blow to natural justice, and therefore anathema.

In 1944, for example, the Palestine Arab Party, which spoke for the center ground of Palestinian society, demanded the immediate "dissolution of the Jewish National Home," and at the inaugural conference of the Arab League in October 1944, it was ruled that "Palestine constitutes an important part of the Arab world." The Arab Higher Committee, which led the Palestinians before and during the 1948 war, informed the UN Special Committee on Palestine on its 1947 visit that "all of Palestine must be Arab." Arab Higher Committee member Hussein al-Khalidi told the delegation that the Jews had always enjoyed comfortable lives in Arab countries until they began demanding their own sovereign state. He rejected the possibility of territorial partition and called for a single state with an Arab majority.[16]

Indeed, as soon as the result of the UN vote became known, Hajj Amin al-Husseini declared that the Arabs neither recognized the partition resolution nor intended to respect it. His brother, Jamal al-Husseini, vowed that "the blood will flow like rivers in the Middle East." Abdul Rahman Hassan Azzam (also known as Azzam Pasha), the secretary-general of the Arab League, stormed out of the General Assembly hall and warned the Jews that "up to the very last moment, and beyond, they [the Arabs] will fight to prevent you from establishing your State. In no circumstances will they agree to it."[17]

Nothing made war and the loss of life and the creation of refugees necessary other than the Arabs' opposition to the partition plan and aspirations of Jewish independence. The Arabs said as much explicitly, and even took pride in it. This was what Abba Eban, then a member of the Jewish Agency's Political Department, heard from Arab League secretary-general Azzam Pasha after Eban offered to try to reach an understanding on the eve of the partition resolution. In their meeting at London's Savoy Hotel, Azzam told Eban:

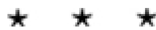
> If you win the war, you will get your state. If you do not win the war, then you will not get it … If you establish your state the Arabs might one day have to accept it, although even that is not certain. But do you really think that we have the option of not trying to prevent you from achieving something that violates our emotion and our interest? It is a question of historic pride. There is no shame in being compelled by force to accept an unjust and unwanted situation. What would be shameful would be to accept this without attempting to prevent it. No, there will have to be a decision, and the decision will have to be by force.[18]

Several attempts were made to avoid war, but the Arabs conditioned this on the complete renunciation of the idea of Jewish independence in any part of the land and with any borders. Immediately after the adoption of the partition resolution, the United Nations established a special committee for the orderly transfer of power from the British authorities to the two states that would be established, but the Arabs boycotted it. In its special report to the UN Security Council in February 1948, the committee wrote of "strong Arab elements inside and outside Palestine, [determined] to prevent the implementation of the Assembly's plan of partition and to thwart its objectives by threats and acts of violence."[19]

Violence broke out almost immediately following the passage of the partition resolution. The Arab Higher Committee called for a general strike across the land. The following day, a bus carrying Jewish passengers was attacked near Kfar Sirkin. Two days later, a Palestinian mob stormed the

Jewish commercial center near Jerusalem's Jaffa Gate. The war had started. In the end, the young Jewish state was left standing, but at a heavy price: six thousand Jews (1 percent of the Jewish population) were killed, and thousands more were injured and left permanently disabled.

The Palestinians also paid a heavy price: they did not establish their own state next to Israel. Thousands were killed; hundreds of thousands were forced to leave their homes. But the fact is that none would have been uprooted if not for the war that the Arabs themselves insisted on waging, and if not for the Arabs' belief, in the spirit of Abd al-Qadir al-Husseini, that "the Jews have no right to this land."[20]



In the initial years after the war, Israel argued that it had not expelled anyone and that those who had lost their homes had fled or else responded to calls from the Arab leadership to leave their homes until the war ended with an Arab victory. In contrast, the Palestinians still believe that the Jewish Yishuv conducted a deliberate, preplanned expulsion of the Arab population, calling it "ethnic cleansing." Modern historical scholarship rejects both these positions, presenting a more complicated chain of events instead.[21]

The war had two main stages: in the first stage, from late November 1947 (the UN partition vote) to May 14, 1948 (Israel's declaration of independence), there was fighting between Jewish Yishuv forces and Palestinian militias allied with bands of Arab volunteers from neighboring states. In the second stage of the war, from May 15, 1948, to May 1949 (when the armistice treaties were signed), the Israel Defense Forces (IDF) fought the Arab armies, which invaded Israel immediately after their declaration of independence.

The Israeli historian Benny Morris, a leading expert on the 1948 war and widely respected by both sides for his studies on the creation of the Palestinian refugee crisis, separates the flight of Palestinians from their homes into several stages.[22] In the first stage, from November 1947, following the passage of the UN partition plan, until March 1948, some 100,000 Palestinians left their homes. During this stage, the fighting took

place primarily on the roads and in mixed Arab/Jewish towns, and largely at the Palestinians' initiative. Their objective was to isolate and conquer outlying Jewish towns. The response of the Jewish fighting force, the Haganah, was limited to repelling these attacks and preserving contact with the outlying towns. No Palestinian Arab areas or villages were conquered at this point, and Palestinians who left their homes did so mostly driven by their fear of being caught up in violent clashes, but without being expelled. Most of those leaving were upper-middle-class Palestinian families—doctors, lawyers, community notables, and teachers—whose departure seriously harmed Palestinian morale and paved the way for later departures. The masses were left effectively leaderless: by March 1948, almost all the members of the Arab Higher Committee had already left the country.

The second stage took place in April 1948 to May, following a decision by the leaders of the Yishuv to change strategy. Until that point the Arab militias had gained the upper hand and succeeded in cutting off the entire Negev—the southern part of the country that was allotted to the Jews by the UN—from the coastal plain, as well as most of western Galilee and the Jerusalem area. They also succeeded in isolating many of the Jewish towns within these regions from one another.

A series of Jewish attempts to bring food and supplies to these isolated towns failed, and by the end of March there were already one thousand Jewish deaths. On March 27, for example, a Jewish convoy of vehicles tried to break the siege on Kibbutz Yehiam in Galilee, but was ambushed by Arab militias. Forty-seven Jews were killed, and their bodies mutilated. Worst of all was the condition in the Jewish parts of Jerusalem, which were under Arab siege and in danger of total collapse. There was hunger in town, reported Yitzhak Ben-Zvi, a Labor Zionist leader who later served as Israel's second president. Ben-Gurion predicted that the entire battle would be decided in Jerusalem. If Jerusalem fell, he said, the rest was meaningless.[23]

The dire military situation and the growing bloodshed in the few months since the UN partition resolution had far-reaching political implications. Witnessing the difficulty of achieving political partition of the land, the United States administration abandoned its support of creating an

independent Jewish state, and called instead for an international regime of trusteeship.[24] Understanding the dramatic implications, in April 1948 the Jews in the Yishuv decided to move from defense to offense. Towns and villages across the country began to fall to Jewish forces. The objective, defined by Ben-Gurion and formulated by the leaders of the Haganah, was to seize the territories allocated to the Jewish state in the partition plan and create Jewish territorial contiguity in order to better prepare for the inevitable impending invasion of Arab armies.[25]

This military plan formulated by the Jewish Yishuv, known as Plan Dalet, was aimed at turning the tide of war for the purpose of securing a state.[26] Previous plans (Aleph, Bet, and Gimel) had been formulated in the decade beforehand, following the Great Arab Revolt of 1936–1939 and the recommendation of the Peel Commission in 1937 to establish a Jewish state.[27] The Arab revolts were officially against British rule, but included extremely violent attacks against the local Jews. These attacks led the Yishuv leaders, and mainly Ben-Gurion, to conclude that peaceful coexistence with the Arabs was highly unlikely and that Jewish independence would require serious preparations for military defense.[28]

The plan was written for the fighting forces and reflected the Yishuv's military needs. The plan instructed the local commanders to secure the territory intended for the Jewish state. Once they had secured the territory, the commanders were to ensure their ability to defend it by capturing police stations and key services. With respect to the Arabs in their territory, the plan instructed the local commanders to differentiate between hostile and non-hostile Arabs. Since the considerations were military, the Arabs were not assumed hostile a priori. Those who were not hostile and did not endanger the Jewish fighting forces could remain in place, according to the plan, and many did. A prime example was the villages on the road to Jerusalem, such as Abu Ghosh. Villages that proved hostile and were either involved in the fighting or provided aid to the Arab militias were to be surrounded, their arms confiscated, the militias destroyed, and the local population sent beyond the border.[29]

Many decades later, Plan Dalet is repeatedly mentioned by anti-Israel activists as providing a blueprint for the ethnic cleansing of the Arabs from

the country.[30] But it was no such thing. The plan, which is readily available for anyone to read, was very clear in its military purpose, and the differentiating factor was not whether the people were Arabs or not, but whether they were hostile or not.[31]

The success of the Jewish forces was greater than expected: the local Palestinian fighting forces were defeated within weeks, and almost all the areas designated for the Jewish state were secured. At this stage, between 200,000 and 300,000 Palestinians abandoned their homes, including the Arab populations of Galilee; the Arab towns overlooking the narrow strip of land connecting Tel Aviv through the hills up to Jerusalem; and the mixed towns of Tiberias, Safed, and Jaffa. While the flight of many Arabs did not involve expulsions, and unfolded when the bombs began to fall, or when the Haganah forces drew near, there were also some forced expulsions. Arab Palestinian militia were mixed in with the non-fighting populations of many of these towns and, in the heat of battle, the Jewish forces had neither the time nor the ability to distinguish between the two.

In the next stage, after Israel's declaration of independence on May 14, 1948, the number of expulsions grew. The Jewish Yishuv found itself in a state of total war against five Arab armies. The mounting death toll, the intensity of the war fought door to door and village to village, and numerous instances of Arab savagery had made the Jewish fighting forces less tolerant of the local Arab population and more prone to assume its hostility.

Yoram Kaniuk, a renowned Israeli author, described throughout his novel *1948* the process how, "in the hell of slaughter," with his friends dying around him like flies, the massacres of the wounded, and the mutilation of the bodies of his dead friends, he and his friends were losing empathy for the Arabs. He described how "one of ours, whom I knew, but whose name I do not remember, was hanging from a tree, his body cut to ribbons and bound with ropes, his cut-off penis stuck into his mouth." Kaniuk described how a friend of his went mad "and his features contorted with rage" at the sight of his mutilated friend and called to retaliate against any Arab they could find.[32]

One of the most brutal episodes, which shook the Yishuv to its core, happened on January 15, 1948, when thirty-five Haganah members made their way on foot toward the besieged city of Jerusalem. Arab shepherds spotted them and summoned a large group of armed locals to block their way. The battle lasted through the next day, and the Jewish soldiers fought to the final bullet, until the last of the group was killed. A British officer found the mutilated bodies and brought them to a Jewish village nearby. "When darkness fell," recounted a witness, "three trucks appeared, covered with canvas … [and] the British officer asked the women to get inside their houses. The men approached the trucks, and saw naked bodies in a pile of blood, with signs of mutilation … The British soldiers were standing [there] mesmerized."[33]

On April 13, a convoy of nurses, doctors, medical students, and scholars set out for the Hebrew University and Hadassah Hospital on Mount Scopus, above Jerusalem. Hundreds of Arab militias set up roadblocks on their way, and knocked out the first in the convoy of four armored buses. Haganah members on the buses fought back, but their ammunition ran out. For hours the Arabs battered the convoy with grenades, Bren guns, and Molotov cocktails. Finally they poured petrol on the vehicles, set them on fire, and shot down those Jews who had managed to crawl out. Seventy-seven Jews perished in the attack, but only thirty bodies were recovered; the rest were turned to ash. Among the dead were eminent scientists: Dr. Chaim Yassky, director of the Hadassah Hospital; Dr. Benjamin Klar, philologist; Dr. Abraham Freimann, authority on Jewish law; and Dr. Moshe Ben-David and Dr. Leonid Dolzhansky, who had treated many Arabs.[34]

On May 12 in Kfar Etzion, a few miles south of Jerusalem, more than one hundred Jewish defenders of the village surrendered to Arab forces, carrying white flags with them and emerging from their bunkers and trenches. The bulk of them assembled in an open area at the center of town. Arab soldiers "ordered [us] to sit and then stand and raise our hands," recounted one of the Jewish soldiers. "Then a photographer with a kaffiya arrived and took photographs of us … When the photographer stopped taking pictures fire was opened up on us from all directions." Almost all the

men and women defenders of the village, 133 of them, were murdered or killed that day.[35]

Meanwhile, in the Arab parts of Jerusalem, an American journalist saw gruesome photographs of the burnt and mutilated bodies of Haganah men on sale. “These naked shots,” he recounted, “hit ‘Holy’ City markets afresh after every battle, and sold rapidly. Arabs carried them in their wallets and displayed them frequently.”[36]

At this stage of the war, IDF commanders ordered the expulsion of Arab residents of several captured villages in order to free up forces to engage the invading armies instead of guarding Arab villages that had surrendered. But still, many Palestinians had fled to get away from the violence. In mid-July 1948, for example, some 100,000 Palestinians left their homes: half of them were expelled when the IDF conquered the Lod-Ramla region—two Arab towns strategically overlooking the road from Tel Aviv to Jerusalem—whereas in Nazareth, Palestinians ran away from the city, despite an explicit order not to expel the city’s inhabitants (some returned after a short while). This combination of expulsion and flight took place at variable magnitudes in Galilee and in the Negev until the end of the war, and in October to November 1948, another 200,000 Palestinians left during Operation Hiram in the north and Operation Yoav in the south.[37]

Estimates of the total number of Palestinians who fled or were expelled during the war range from 500,000 to 900,000.[38] The exact number is not known, but accepted estimates tend to the middle of that range. In 1949 the UN Economic Survey Mission for the Middle East estimated the number at 726,000.[39] Of these, some two-thirds remained within the borders of Mandatory Palestine, in what became either the Jordanian-occupied West Bank or Egyptian-occupied Gaza Strip. One-third, probably around 250,000 people, left Palestine for neighboring Arab countries, namely Lebanon, Syria, Transjordan, and Egypt.[40]

After the war, different actors—including the British government, the US State Department, and the UN Economic Survey Mission—provided contradictory estimates of the precise number of Palestinian refugees. Naturally, Arab spokespeople tried to exaggerate the phenomenon and Israel tried to downplay it as much as possible, while UNRWA (United

Nations Relief and Works Agency for Palestinian Refugees) concluded as early as 1950 that it was "unlikely" to be able to provide "an accurate statement of the number of genuine refugees resulting from the war in Palestine … now or in the future."[41]

UNRWA's use of the term "genuine refugees" was apt, because many of those counted as Palestine refugees already at that time were not actually refugees at all. First, it is not at all clear what proportion of the Arabs who were in the country on the eve of the war and then fled were habitual or permanent residents of the land. During the British Mandate era, and even earlier, Arabs from neighboring countries had immigrated to Palestine, some of them illegally, primarily for economic reasons, or came as seasonal workers in agriculture. Logically, these people cannot be considered "genuine refugees," because their presence in Palestine was temporary to begin with.

It was also commonplace for refugees to falsely report the size of their families: heads of households refrained from reporting deaths, and registered births that never happened. Refugees who moved from one place to another were sometimes registered more than once or under different names. Even Arabs from neighboring countries who were unaffected by the war but lived in areas that received refugees from Israel registered themselves as refugees in order to gain material assistance from international aid agencies.[42] Another UN agency estimated in 1949 that roughly one-fifth of the names on the lists of ration receivers were not refugees.[43]

UNRWA did not become operational until May 1950 and had taken over the relief efforts previously undertaken by other organizations. When these international aid agencies, such as the Red Cross, started delivering assistance to those leaving Palestine during the fighting, they did so on the basis of actual need, as opposed to a rigorous application of actual refugee status. The question facing them was operational, not formal—it was about whether a particular family was in need of assistance. Therefore, people who were not habitual residents of Palestine came to be counted among the aid recipients.

When UNRWA took over the operation, it inherited lists of aid recipients from its predecessors and had to decide to whom it would continue delivering aid. UNRWA's decision was not based on any clear legal or specifically defined criteria, either; and so, facing budgetary constraints and under pressure from the United Nations and the United States, UNRWA slashed the number of aid recipients, which had stood at 940,000, by several tens of thousands.[44]

Over time, UNRWA formulated a working definition for "registered Palestine refugees," even if they were not bona fide refugees in the conventional legal sense of the term, as it was understood and applied then (or now). According to UNRWA's definition, which underwent a series of rewordings in the first few years, it was sufficient for an Arab to have been a resident of Palestine for only two years before the war started to be considered a refugee. There was certainly no malicious intent here. This was only ad hoc activity in the heat of war and in its messy aftermath, where the primary considerations were operational and budgetary. The agencies that dispensed aid, including UNRWA, provided assistance to anyone they deemed in need. Nobody imagined that this temporary, nonbinding working definition or use of the term "refugee" would form the basis for the Palestinians' attempts to demand legal rights—for themselves and their descendants—seventy years later.

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At first, the departure of so many Arabs from their homes surprised the heads of the Jewish Yishuv. Some even believed it was an Arab conspiracy designed to help the Arab states and discredit Israel abroad. James Grover McDonald, the first US ambassador to Israel, wrote in his memoirs that Israel's leaders were "quite unprepared." "I couldn't understand," wrote David Ben-Gurion in his diary, visiting Jaffa a few days after tens of thousands of Arabs had fled. "Why did the inhabitants leave?" In May 1948, Golda Meir told the Mapai Central Committee that the Yishuv had not entered the war prepared for victory—had it been, it would have planned in advance what to do with the captured Arab localities.[45]

Other statements by Yishuv leaders also show that when the Israeli leadership accepted partition, it had no advance plans to expel the Arabs from Israel, and that were it not for the Arab rejection of partition and the war they waged to prevent it, they could all have remained in their homes. The Palestinians would later argue that Zionism was by its nature a movement geared toward population transfer and that it could not have achieved its objectives without expelling the Arabs from Palestine. In this thesis, the war was just an excuse: the expulsion would have happened anyway.

But it is a fact that the departure of the Arabs was a result of the war and only of the war. Before the Arabs waged war against partition, they did not leave their homes. The Arab flight and the refugees from the war were neither inevitable nor necessary nor inherent in Zionism. Foreign Minister Moshe Sharett attested at the end of the war, for example, that if the Arabs had reconciled themselves with the UN partition decision, "the State of Israel would have arisen with a large Arab minority, which would have left its impress on the state, on its manner of governance, and on its economic life, and [this Arab minority] would have constituted an organic part of the state."[46]

At the height of the war, when Israel's victory was far from assured and battles were raging with maximum ferocity across the land, Ben-Gurion read out the Declaration of Independence in Tel Aviv, calling on the Arabs "to participate in the upbuilding of the State on the basis of full and equal citizenship." Indeed, some 150,000 Arabs, then a fifth of the young state's population, remained within Israel's borders and became its citizens.[47]

But the fact remains that hundreds of thousands of Arabs did indeed leave their homes in the course of the war. This was a bloody, violent, and existential war. Israel fought for its life against an enemy that had repeatedly declared its opposition to its very existence, in any borders. As in any war of this nature, when fighting militia are mixed in with the local population, and when there is neither time nor luxury to separate the fighters from the non-fighters, expulsions, as seems to have happened in Lod, do happen.

In some places, Palestinians obeyed the orders of the Arab leadership to leave as part of the overall fighting; in others, such as the Galilee Panhandle, the Yishuv's psychological warfare campaign was key in causing the Arabs to flee their homes.

Many Arabs feared that if they fell into Jewish hands, the Jews would take revenge against them and punish them. This fear was greatly aided by the frequent and sometimes false reports in Arabic media of alleged atrocities by Jews. The story of Deir Yassin stands out in this context. During the conquest of this village in the Jerusalem hills in April 1948, unarmed Arab civilians were shot dead. The enormous publicity given to the battle, and its documented exaggeration by Arab leaders, initially intended to rally the Palestinian Arabs in the fighting, achieved the opposite of what was intended and sparked a mass flight of Arabs across the country.[48]

But there were also cases—most notably in Haifa—where the leaders of the Jewish Yishuv implored the Arabs to remain, but they opted to flee out of fear or lest they be considered traitors.

There were also further reasons for the Arabs' flight. For one, the departure at the outset of the war of thousands of families from the Palestinian elite ultimately swept up the common people as well. Additionally, the prolongation of the war caused the economy to suffer, and many could no longer bear the hardship and turmoil. And the flight from Jaffa was aided by the behavior of the Arab volunteers there: sent to fight the Jews, in reality they also abused the local Arab population and committed numerous acts of murder and rape.[49]

The nature of the war was the major contributor to the Arabs' departure, much more than any specific instance of fighting during the war. The Arab side defined it at the outset as a struggle between life and death. The secretary-general of the Arab League declared on the eve of the war, "This will be a war of extermination and momentous massacre, which will be spoken of like the Mongolian massacre and the Crusades."[50] In a telegram to the Arab League at the start of the hostilities, Ismail Safwat, who was in charge of coordination between the different Arab forces, described the war's objectives, starting with "to eliminate the Jews of Palestine, and to

completely cleanse the country of them."[51] In March 1948, Hajj Amin al-Husseini, the leader of the Palestinians, declared that the Arabs would "continue to fight until the Zionists are eliminated, and the whole of Palestine is a purely Arab state."[52]

Indeed, not a single Jew remained in the areas conquered by Arab forces. The Palestinian fighters sought to expel the Jews and destroy their communities, as in Gush Etzion, on the southern outskirts of Jerusalem, and in the Jewish Quarter of the Old City of Jerusalem, where Jews had lived for millennia. All twelve Jewish towns and villages captured by the Arab armies were completely leveled, and their inhabitants had either fled, were murdered, or fell into captivity.[53]

With such a state of affairs, in the context of a bloody war of survival—which, from the perspective of the Jews, who had accepted partition, was therefore entirely unnecessary—the Israelis' growing intolerance for the local Arab population was understandable. The leader of Ahdut HaAvoda (a socialist Zionist faction), Yitzhak Tabenkin, described this feeling well in October 1948 in saying, "We argued amongst ourselves whether to expel [the Arabs] or not. The Arabs never even asked those of ours they captured and brutally killed [whether or not to expel them] … If we are faced with the choice: the expulsion [of Arabs] or murder [of Jews], everyone would choose expulsion."[54]



The Palestinians argue that the war inflicted a terrible tragedy on them and that they suffered an exceptional injustice. This is, at the very least, a thoroughly disingenuous claim. Those who wage war to eliminate another people, and to prevent their achieving independence, cannot legitimately complain that "they suffered an exceptional injustice" when they lose and flee the land. The claim to exceptionalism is also untrue, when compared to other twentieth-century events. A comparison reveals that there was nothing unique in the circumstances around the creation of the Palestinian refugee problem, neither in terms of its nature nor its scale nor its severity. This becomes especially clear when considering that when judging the legality and morality of a historical event, it is the international standards in place at

the time that are the relevant ones, and not the standards adopted decades later.

Expulsions and population exchanges, both voluntary and forced, were actually quite common throughout the twentieth century. Until the end of the Cold War, not only were population exchanges considered legitimate under international law, but the separation of warring parties, in order to minimize the presence of national minorities, was considered key to peacemaking between different ethnic groups. In the Greco–Bulgarian peace treaty of 1919, for example, it was agreed to transfer 46,000 ethnic Greek citizens of Bulgaria to Greece, while 96,000 ethnic Bulgarian citizens of Greece would move to Bulgaria. Four years later, when Greece and Turkey signed a peace treaty, they agreed on a forced population exchange of 1.2 million ethnic Greek citizens of Turkey for 600,000 ethnic Turkish citizens of Greece.[55]

In the 1940s, at the same time when the Palestinian refugee problem was created, there were several large-scale waves of refugees, as the Allied victory in the Second World War provoked a series of expulsions and population exchanges. In most cases (as with the Palestinians), members of nations defeated in war were forced to pay the price. No fewer than twelve million Germans fled or were expelled from what became western Poland, Czechoslovakia, Hungary, Ukraine, Romania, Yugoslavia, and the Baltic states. They were not treated as individuals but as a collective ethnic group. Three hundred thousand Italians were forced out of Yugoslavia.[56]

These expulsions were horrendously brutal. All of them happened after the war had ended and Germany had signed an unconditional surrender, so they were not due to military requirements. In Czechoslovakia, for example, German ethnic students were pulled through the streets of Prague to Wenceslas Square, where petrol was poured over them and they were set alight. Also in Czechoslovakia, thousands of Germans were marched to the former concentration camp at Terezín, better known as Theresienstadt, which was previously used by the Nazis; hundreds died en route to the camp. Once there, they were led through a tunnel into a muddy courtyard, beaten along the way by Czech guards; those who were too old or ill were killed on the spot.[57]

In Poland, thousands of ethnic Germans were taken by rail to the border with Germany. One survivor recalled that it took weeks to progress a few dozen kilometers. The trains moved achingly slowly, and often they were deliberately kept in sidings for days. "Men, women and children were all mixed together, tightly packed in the railway cars which were locked from the outside. When the wagons were opened for the first time I saw from one of them ten corpses were taken and then thrown into coffins … I noticed that several people had become deranged. The people were covered in excrement."[58] German interns in a Polish concentration camp testified that inmates "had their eyes beaten out with rubber cudgels … work parties [who] were buried alive in liquid manure," and one man "had a toad forced down his throat until he choked to death" while guards looked on laughing.[59]

Oftentimes, these population exchanges resulted from border changes: this is why half a million Poles left western Ukraine and western Belarus when these areas were annexed to the Soviet Union after the war. Western leaders supported expulsions in the framework of the Potsdam Agreement of August 1945. President Franklin D. Roosevelt had earlier supported the creation of ethnically homogeneous states, and British prime minister Winston Churchill had said that the "expulsion [of the Germans] is the method which … will be the most satisfactory and lasting" for the creation of peace.[60]

Asia also witnessed mass expulsions and population exchanges: toward the end of British rule in the Indian subcontinent, with the establishment of India and Pakistan, religiously mixed areas of the subcontinent were caught up in a wave of violence, with an estimated 3.5 million people killed, and some fourteen million people fleeing their homes and becoming refugees. Muslims fled India to Pakistan; Hindus and Sikhs made the opposite journey. This was one of the largest and swiftest population movements in the history of humanity. All tens of millions of these refugees, in both Europe and Asia, were ultimately rehoused in the countries they reached.[61]

It is also crucially important to remember in the Arab–Jewish context that hundreds of thousands of Jews were forced to leave their homes in Arab countries during and after the war. Between 1947 and the mid-1950s,

the ancient Jewish communities of Egypt, Iraq, Syria, Libya, and Yemen, which preceded the birth of Islam and the Arab conquests of the Middle East, were eliminated. Besides expulsions and acts of violence and pogroms that wrought fear on the Jews of the Arab world, authorities took a series of steps (including confiscating property, revoking citizenship, and freezing bank accounts) that forced the Jews to leave.

The Jews of the Arab world suffered fierce revenge at the hands of the Arabs because they were members of the same people and nation that had just successfully resisted and defeated Arab armies. The Arab world, which was for over a millennium home to established Jewish communities since the destruction of the First Temple in ancient times, was completely emptied of its Jews, many of whom found refuge in Israel.[62] But unlike the Palestinians who fled or were forced to leave the territory that became the state of Israel, none of these Jews have remained refugees. They moved on to build new lives in Israel and in other countries.

The number of Palestinian casualties in the war was not exceptional, either. An estimated 12,000 Palestinians, 1 percent of the population, were killed in the war—a rate equal to the casualty rate among Jews, of 6,000 from a population of 600,000. To put this balance in context, in the wave of violence that engulfed the Indian subcontinent, the death toll is estimated at up to 3 million people, also 1 percent of the local population.[63]

The Palestinian defeat exacted a human toll, but it was neither necessary nor exceptional. Had the Arabs of Palestine accepted the UN proposal for partition of the land with the Jews of Palestine, they would have been celebrating decades of independence in a state of their own, and there would have been no displacement to recount. In rejecting that proposal and violently opposing its implementation, they suffered displacement, but nothing in the conditions of the war and the displacement—whether in intensity of violence or numbers—was exceptional.

The answer to why the Palestinian refugee problem still exists lies neither in the conditions of its birth nor in its scale nor in the number of victims: nothing here is unique. The answer must lie elsewhere.

2: DEMANDING RETURN (1949)

The reason for the flight of the Palestinians is irrelevant. What matters is that they are entitled to return.

—EDWARD SAID

NUMBER OF REFUGEES: 726,000[1]

Kenneth Bilby was the Middle East correspondent for the *New York Herald Tribune* in the late 1940s. A former US infantry officer who had fought in the Second World War and was awarded the French Legion of Honour, Bilby arrived in Israel in 1948 and stayed for a while thereafter. A few hours before the expiry of the British Mandate, he accompanied the motorcade of the last British high commissioner, Sir Alan Cunningham, to the airport in Qalandiya. He later reported on the IDF's conquest of Lod and Ramla and joined Haganah columns bringing fuel and food to Jerusalem; when the Israelis forged a bypass route to the besieged city, he was the one who dubbed it "Burma Road," after the legendary homonymous road in China that was used by the British in WWII to transport supplies during the war with Japan.

Bilby's exploits at the time were captivating. In *New Star in the Near East*, his memoir published in 1950, he described how he once snuck into the office of Arab League secretary-general Azzam Pasha in Cairo's Al Bustan Palace and drank Turkish coffee with him. When it was dark, he

ventured out to report on the Egyptian capital's nightlife and investigate rumors about the profligate lifestyle of the young King Farouk. During the Arab–Israeli war of 1948, the king of Jordan and the prime minister of Israel used his services to communicate with each other, conveying their messages to one another in the interviews they granted him; he used to be led up to Ben-Gurion's office on the second floor of the house on Keren Kayemet Boulevard in Tel Aviv by the prime minister's wife, Pola.

When the war was over, Bilby tried to investigate whether there was a possibility of peace between Israel and the Arab states. In order to gauge the mood in the Arab world, he traveled for several weeks around Jordan, Syria, Lebanon, and the West Bank, speaking to officials, diplomats, and journalists, as well as ordinary people.

Bilby's impression was that Israel's neighbors were consumed by a sense of humiliation and thirst for revenge, with no desire for a new era of neighborly relations. From his travels, Bilby assessed that the Arab world had not accepted the new reality created with Israel's independence and that it was preparing for a second round of war. As far as they were concerned, he concluded, Israel was a foreign implant poisoning the Arab world, which they were ready to do anything to uproot completely. "No treaty, no scrap of paper," prophesied the American journalist, "will be able to dry up the vast reservoir of animosity and suspicion in the Middle East."[2]

Bilby met an Arab businessman, for example, in the lobby of the Philadelphia Hotel in Amman, who told him while playing the piano, "If it takes a hundred years, we will drive the Jews from our country. Don't forget the Crusades!" At the Orient Palace Hotel in Damascus, a Palestinian officer, recently returned from the war in Israel, explained, "We need a lull to get on our feet again. But the time will come—maybe ten years, maybe twenty—when we will take back our homes and our property. My family lived in Palestine for twelve centuries … We will find support somewhere and we will keep attacking Israel."[3]

It was among representatives of the refugees and in their camps that Bilby discovered the most intense hostility to Israel. He described how they appeared at every meeting of Arab statesmen to demand action against the Jews. The refugees he met on his travels repeated the same message: the

Arab defeat in the war was neither the end of the struggle against Israel nor the final word.

One evening he met two young refugee leaders in Beirut and asked them whether they would agree to return to their homes and live under Israeli rule. “I would do anything to get my family’s business and citrus groves back again,” replied one. “Would you then concede that Israel is here to stay?” asked Bilby. “Only temporarily,” answered the young man, adding, “You ask me what I will do if I cannot get home. I’ll tell you. I’ll move my wife and my children into the hills around Tulkarm, overlooking the coastal plain which the Jews took. Every day I will take my children to the hill ridge and say: ‘This was yours. This was stolen from you. You were robbed, and deceived and betrayed. Never forget it!’”[4]

Bilby returned from his travels pessimistic about prospects for a peace deal. The Arabs, he assessed, were not yet capable of reconciling themselves to Israel’s existence: as far as they were concerned, rapprochement with Israel was off the table. This was also the assessment among the Jewish leadership in the nascent state of Israel, leading it to conclude that Israel must prepare for a second round of fighting with the Arab states. “The Arabs conspire a second round [of war against Israel],” warned Ben-Gurion as early as October 1949, “and we must be prepared to win.”[5] Because of this, Israel decided it was necessary to prevent the entry of the refugees, who had just fought the young country and had not yet come to terms with its existence. So long as the Arab world and the Palestinian refugees themselves, Israeli leaders argued, remained hostile to the very existence of Israel, there was no logic in permitting them to enter its borders.

The Palestinians would argue later that this decision to deny their return was responsible for the perpetuation of the refugee problem, and that it was Israel’s callousness that frustrated the refugees’ desire to return home. Nowadays, in an attempt to rid the phenomenon of any political association or context, the Arabs tend to define it as exclusively humanitarian and legal: they argue that Israel should have allowed the refugees to return home, and that the Palestinians possessed a right to return, even if they were the same people who started the war and lost it, and even if no such right existed.

Neither the political circumstances in which they became refugees nor their intentions matter, so claim the Palestinians.

The Palestinian-American intellectual Edward Said addressed this in his book *The Question of Palestine.* A prominent social and literary critic and the author of *Orientalism,* Said claimed to speak for the refugees his whole life, even arguing that his own family were refugees. Toward the end of his life, it emerged that this characterization was exaggerated: his family used to divide its time between Cairo and Jerusalem, and when fighting broke out in December 1947, they left the Mandate and settled down in Cairo. In *The Question of Palestine*, Said writes, "The reason for the flight of the Palestinians is finally irrelevant. What matters is that they are entitled to return."[6]

This argument sidesteps the Palestinians' rejection of the partition plan and ignores the declared choice of the Arab world to fight the state of Israel, thereby absolving them of responsibility for the creation of the problem. It also relies on legal rights that simply did not exist. The Palestinians argue that all that had to happen, and still has to happen, was to enable the refugees to return to Israel. According to the Palestinians, it was not the war that caused the refugee problem—but Israel's prohibition of a massive refugees' return thereafter.

More critically, and even more importantly, this argument obfuscates the motive behind the Arab demand for return. A deeper examination of the Arab world's postwar mood and intentions regarding Israel reveals that the demand to return immediately after the war was hardly innocent or based on specific humanitarian or legal requirements. On the contrary: it was precisely designed and crafted as an alternative to continuing the war on the battlefield.



On July 20, 1949, a little more than a year after the Syrian army invaded Israel, envoys from both states met on Hill 232, a few miles north of the Sea of Galilee, to sign an armistice agreement. The event might have looked like a turning point in ties between the two states and the beginning of a warming of relations, but on the very same day, Syria's ambassador to the

United Nations announced that "the [next] war with Zionism is approaching." Faris al-Khoury, one of the most prominent Arab diplomats of the age and prime minister of Syria shortly afterward, urged the Arab states to form a military alliance.[7] A few days later, the major Damascus newspaper *al-Ayyam* called the armistice agreement "a stigma in the history of the Arabs," which would remain "so long as that abominable state that is called Israel remains in existence, in the very heart of the Arab world."[8] A similar atmosphere prevailed in Israel's southern neighbor, Egypt. Barely two weeks after the signing of the Israel–Egypt armistice agreement in February 1949, Egypt's foreign minister declared that a peace deal with Israel was not possible because Cairo could not recognize Israel as a matter of principle.[9] Shortly thereafter an Egyptian diplomat announced that "no Arab governments are prepared at this stage to sign peace treaties with Israel."[10]

While the 1949 armistice agreements between Israel and its neighbors ended the active fighting, they were understood completely differently by each side. The historian Avi Shlaim writes in *The Iron Wall* that Israel saw them as terminating the state of belligerency. The Arabs, in contrast, might have committed to a ceasefire but still saw themselves as belligerent parties. Israel considered the armistice lines as borders for all intents and purposes, within which it was entitled to do as it pleased; but the Arab states opined that the Palestinians had a right to fight by all available means against what they saw as their dispossession from their land, and that the agreements did not require the Arab states to stop the Palestinians.[11]

Soon enough it was clear that the results of the war had not caused a turnaround in the Arabs' attitude to Israel and that their aversion to Israel and rejection of its existence had intensified instead of subsiding. The Arab states continued to view the state of Israel as a foreign and aggressive colonial entity that should be resisted, without developing any sense of understanding or tolerance for Zionism as the national liberation movement of another people. The Arab world refused to recognize either Israel's existence or its right to exist. Instead, it unified for comprehensive political warfare against Israel, treated it as a pariah state, and made efforts to persuade the rest of the world to act similarly.[12]

One of the leading Arab intellectual figures of the time, Constantine Zurayk, who coined the term *Nakba* for the Arab defeat in the war, wrote already in 1948, amid the war and the Palestinians' collapse, that "the aim of Zionist imperialism … is to exchange one country for another and to annihilate one people … This is imperialism, naked and fearful, in its truest color and worst form."[13] According to him, the Arab defeat was "only one battle in a long war. If we have lost this battle," he continued, "that does not mean that we have lost the whole war or that we have been finally routed with no possibility of a later revival. This battle is decisive … for on it depends the establishment or extinction of the Zionist state."[14]

The thirty years of large-scale military and political efforts to foil the Zionist project since Britain was granted the Mandate for Palestine in order to establish a national home for the Jewish people had not helped the Palestinians and the Arab world; instead, they resulted in the establishment of the state of Israel and a painful military defeat, which was one of the most traumatic events for the Arab world in the twentieth century. The defeat was described in the Arab world in harsh terms, such as the "Disaster of Palestine" or the "Catastrophe of Palestine" (*Nakba*, in Arabic), with the Jews and their state blamed for causing it.[15] The Arab poet Burhan al-Deen al-Abushi published in 1949 a play about the *Nakba* of Palestine, called *The Ghost of Andalusia*, where he went even further and compared the loss of Palestine to the historic Muslim loss of Spain in the Middle Ages.[16]

Arif al-Arif, a Palestinian journalist, historian, and politician, who served in the 1950s as mayor of Jordanian East Jerusalem, published a book in 1956 by the name *The Nakba of Jerusalem and the Lost Paradise*, and wrote this regarding its title: "How can I not call it [the book] 'The Catastrophe'? We have been afflicted by a catastrophe, we the Arabs in general and the Palestinians in particular, during this period of time in a way in which we have not been subjected to catastrophe in centuries and in other periods of time: our homeland was stolen, we were thrown out of our homes, we lost a large number of our sons and of our young ones, and in addition to all this, the core of our dignity was also afflicted."[17]

In 1950, another prominent Palestinian scholar, the theologian Taqiuddin al-Nabhani, who founded the Islamic political party Hizb ut-

Tahrir in 1953, wrote in his book *Saving Palestine* that "the disaster of Palestine is a major historical event in general, and in the history of the Arabs in particular … [I]t is the most terrible disaster befalling the Arabs and the Muslims in modern history … It is a deep-rooted disaster, far reaching and full of dangers. It is an evil growing by the day and by the hour."[18]

The conflict between both sides was already intense before the war, which only reduced it to new depths of hatred and suspicion. For the Arabs, the results of the war were a complete humiliation—a small community of some 650,000 Jews succeeded in overpowering Arab Palestinian militia and the combined Arab armies of the surrounding states. The Arabs' sense of injustice, having seen the Zionist enterprise even before the war as the theft of Arab lands, was now compounded by deep feelings of hatred and frustration over their painful defeat. The Arabs were not prepared to accept the new Jewish state in their midst, whatever its size; peace was perceived as nothing less than treason.

"The defeat of the Arabs in Palestine is no simple setback or light, passing evil," wrote Zurayk. "It is a disaster in every sense of the word and one of the harshest of the trials and tribulations with which the Arabs have been afflicted throughout their long history … History has not known a case more just or more obviously flawless than this."[19]

Zurayk described the looming struggle against Zionism as an existential battle, a zero-sum game, in which the Arab world must mobilize and be willing to sacrifice everything. "The Zionist danger is the greatest danger to the being of the Arabs," he wrote. "This danger threatens the very center of Arab being, its entirety, the foundation of its existence … This fact is what must be placed before the Arab people … [This is] what we must teach our children and the students of our schools day and night. The departments of propaganda in our governments must first devote themselves to this, employing the press, the radio, and every other means of publicity, in order to intensify in the souls of all Arabs an awareness of the danger—of the greatest, the unique danger—so that every thought which we have and every action which we perform will be influenced by this feeling and will

issue from it … let us face the danger with all the will that we have and with all the forces that we can muster."[20]



The Arab side acted accordingly. When the United Nations convened a peace conference at Lausanne, Switzerland, in early 1949 between Israel and the Arab states, the Arabs announced that they would not sit at the same table with, or even in the same room as, the Israeli envoys. They refused to recognize Israel as a side in the negotiations. Arab states avoided using the word *Israel*. Their maps depicted Israeli territory as a blank mark or called it *Palestine*. They sealed their borders to all movement in and out of Israel, voted in unison against Israel at international forums, and refused to establish any cultural or sporting ties with Israel. Arab League resolutions in 1949–1950 imposed a comprehensive economic boycott on Israel, including the closure of the Suez Canal and the Straits of Tiran to all Israeli shipping, and forbade all commercial ties with companies that traded with Israel.[21]

In addition, both tentative contacts and direct communications between Israel and Arab envoys, which led to nowhere in the end, revealed that the Arab world was still adamant in its refusal to accept the newly established Jewish state. Arab negotiators at the time demanded to relieve Israel of its territorial assets—Egypt, for example, demanded that Israel relinquish the Negev (more than half of its territory), and Syria demanded Israel cede half of the Sea of Galilee, the lake that was Israel's primary source of water. All of this was in exchange for extremely vague promises of non-belligerency—promises that often disappeared as quickly as they came.

Colonel Husni Za'im, who seized control of Syria in March 1949, offered to meet with Ben-Gurion to discuss a peace treaty. Za'im was trying, it seemed, to use Israel to obtain Western economic and military support, but his true intentions will probably never be known: he was overthrown in a countercoup shortly thereafter and executed. In any case, American and British officials concluded at the time that even if Israel acquiesced to the demands of the Arab states, they still would not have signed peace treaties with it.[22]

Official Arab envoys were candid on this matter. "Why do we need peace now?" Egyptian diplomat Abdul Monem Mustafa wondered aloud to an Israeli diplomat in spring 1949. "Peace would only allow you to grow economically and entrench yourselves." This belief—that the Arab world would derive no benefit from an agreement with Israel—was also expressed by Azzam Pasha to Abba Eban:

> We have a secret weapon which we can use better than guns, and this is time. *As long as we don't make peace with the Zionists, the war is not over* [our emphasis] and as long as the war is not over, there is neither victor nor vanquished. As soon as we recognize the existence of Israel, we shall have admitted by this very act that we are vanquished.[23]

In June 1949, Syria's UN ambassador, Faris al-Khoury, declared that the war with Zionism was "the foundation stone of the Arab states' foreign policy."[24] In April 1950, the Arab League passed a resolution according to which "no Member State of the Arab League may negotiate or actually conclude a separate peace (treaty) or any (other) political, military or economic agreement with Israel. Any State which takes any such course shall be considered to have withdrawn from the League."[25] In June 1951, Egypt's foreign minister announced, "It is not on our minds at all to make peace with the Jews, or even recognize [Israel]."[26] Later in September, Egyptian spokesmen stated that "the Arab states are determined not to recognize Israel."[27]

The Arab press was even more extreme, arguing forcefully that another war was inevitable and that "the Palestine problem will only be solved by force." The Egyptian paper *Akhbar el-Yom* wrote in May 1949, "The Palestine War has not ended. The Egyptian blood that quenched Palestine serves as a landmark by which we must march to achieve the victory our martyrs desired."[28] A Baghdad radio broadcast in June 1949 said, "The Arabs will never cease to regard Israel as a hostile country. *The Jews are our enemies irrespective of the degree of appeasement they may display toward us and of how peace-seeking their intentions may be* [our emphasis].

We do not pause for a single moment in our preparations for the day of vengeance."[29]

The outlier among Arab states in its attitude to Israel was Jordan, whose King Abdullah had been the exception in his consistently conciliatory stance ever since the 1920s. Even before the war, Abdullah offered the Yishuv leaders Jewish autonomy or even limited independence under his control, wanting to rule the entire region, including Syria and Lebanon. After the war, Abdullah was the only Arab ruler to want reconciliation with Israel, even holding several rounds of negotiations to this end. These talks, however, failed to ripen, and Abdullah was murdered in East Jerusalem by a Palestinian assassin in 1951, in part because of his relatively conciliatory approach to Israel.[30]

And what about the Palestinians themselves? What was their attitude toward Israel at the end of the war? The longer the war dragged on and the more time passed, the more disoriented Palestinian society became, finding it increasingly difficult to function as a significant political actor. The early flight of so much of the elite to neighboring Arab countries and the new gulf between Palestinians under Jordanian and Egyptian rule generated ever deeper conflicts between influential Palestinian families. Nevertheless, all Palestinian factions remained united on one matter: nonrecognition of Jewish rights to the land, nonacceptance of the outcome of the war and Jewish sovereignty, and a desire for exclusive Arab rule over the entire land.

A prime example of this state of mind was Musa Alami's essay, "The Lesson of Palestine," which was published immediately after the war. Alami was a leading Palestinian figure and a member of the Arab Higher Committee, which led the Palestinians in the war against Israel. Alami explained in his essay why the Arabs lost the war and what they should do in the future. He argued that Zionism's triumph in 1948 was not something that could be accommodated, certainly not accepted. It was the loss of Palestine, he wrote, that symbolized the existential crisis of the entire Arab world.[31]

The essay is interesting not only for what is in it, but also for what is not. Alami, who was considered a Palestinian moderate in the 1930s and

had even conducted extensive negotiations with David Ben-Gurion over potential cooperation, mentioned among the reasons for the Arab loss the lack of unity among the Arabs, their flawed preparations, and their old ammunitions. But in no place did he reflect or discuss the underlying reason for the war—the refusal to accept Jewish sovereignty over any part of the land. There were no regrets in the essay over the basic attitude of the Palestinian society toward Jewish rights, which ultimately led to the war. This was not even mentioned as a possibility.

The term "Jewish danger" appeared again and again in the essay, and the assumption was that Israel wanted to take over the entire Middle East, Palestine being just the first phase of the battle. Zionism was defined as "oppressive" and "aggressor," and the Israeli triumph as an aberration of natural justice. An Arab triumph, on the other hand, was considered to be a return back to justice.

Alami expanded the significance of the 1948 defeat, saying that it should serve as a wake-up call for reforming the Arab world. As long as the Arabs did not change their political system, he wrote, the danger of Zionism would hang above their heads. Therefore, the defeat served in his eyes as a catalyst for a much-needed rejuvenation and resurgence process in the Arab world. Full Arab independence, Alami wrote, could be achieved only if every trace of foreign imperialist presence was erased, including, of course, Zionism. Thus, it was a battle to the end, and no possibility of living peacefully next to Israel was even mentioned.

"Palestine and the self-respect of the Arabs must be recovered," he wrote. "Without Palestine there is no life for [the Arabs]." And in another passage he wrote, "the [1948] disaster has shaken us profoundly, and wounded us deeply, and opened the door to a great danger. If the shock wakes us up, brings us together, and impels us to a new life from which we can derive strength, the wound will heal, the danger will be averted, and Palestine will be recovered."[32]

In September 1948, the All-Palestine Government was established in Gaza, consisting mainly of relatives and followers of the mufti, but also of other members of the Palestinian ruling class. As its name suggests, it

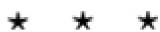
claimed sovereignty over the whole of the territory of the former Mandate, stressing that it absolutely rejected the principle of territorial partition.

On October 1, 1948, the All-Palestine National Council convened in Gaza, with the mufti as its president. In a letter to the secretary-general of the United Nations, the council informed them that "the Arabs of Palestine, who are the owners of the country … have solemnly resolved to declare Palestine in its entirety and within its boundaries as established before the termination of the British Mandate an independent state."[33] The council declared independence for Palestine, "bordered by Syria and Lebanon in the north, by Syria and Transjordan in the east, by the Mediterranean Sea in the west, and by Egypt in the south"; the state of Israel was nowhere to be found. The short-lived government lacked any practical significance but clarified the political positions of the Palestinian leadership toward the end of the war, which was unable to accept the existence of the state of Israel under any circumstances.[34]

Another episode, in Jericho in late 1948, also illustrates the mood among Palestinian dignitaries and political figures—in this case, those who came under Jordanian rule during the war. King Abdullah of Jordan convened his Palestinian supporters, notables of the West Bank, over which he had just extended control. The king's purpose was to use the conference as a rubber stamp for launching negotiations with Israel, but the Palestinians refused to do so because that would have meant accepting partition. They were ready to recognize Abdullah as their king, provided that he commit himself to liberate all of Palestine. In their final resolutions they called for "Palestine as a whole and indivisible entity," and that "any solution contradicting this principle could not be considered final." They also called on the Arab states to complete the liberation of Palestine.[35]

And, as soon as 1950, Palestinian militant student groups, some of them clandestine, began emerging in Cairo, Beirut, and Gaza, all wishing to liberate Palestine from its Zionist occupation. Such groups were the General Union of Palestinian Students, founded in Egypt by Yasser Arafat; a student grouping in Lebanon, founded by George Habash; and a militia in the Gaza Strip established by Khalil al-Wazir (a founder of the nationalist political

party Fatah, later known as Abu Jihad). Coexistence alongside the state of Israel was not on any of these organizations' agendas.[36]



In his travels around the Arab world immediately after the war, Kenneth Bilby encountered thousands of Arab refugees who had just fled the war in Israel, walking on the roadside, carrying their possessions in their hands, and cramming into tent encampments on the outskirts of the major cities. He witnessed the human suffering of the refugees, and he understood the phenomenon at once in its proper political context, as a consequence of the war: the presence of the refugees, he wrote, "constitutes a symbol of defeat by a despised minority," meaning the Jews, adding that the refugees "rankle … hurt … [and] humiliate; they give the lie to all communiqués which told of glorious victories and conquests … They have become the legacy of a war which undermined the authority and popular foundation of [Arab] governments and dealt a shattering blow to collective Arab pride."[37]

Unsurprisingly, many refugees wanted to return home as quickly as possible, but the Palestinian leadership was initially opposed, believing this would mean effective recognition of Israel's existence, which they completely rejected. The question of the return of the refugees to their homes was considered entirely subsidiary to the greater question of recognizing Israel's legitimacy. As long as the refugees' return was considered to reflect favorably on Israel's legitimacy, it was rejected—regardless of the humanitarian and emotional concerns. And so, in the summer of 1948, the mufti signed a decree in the name of the Arab Higher Committee, assailing the willingness of Arab states to return the refugees to Israel on the grounds that this would require negotiations with the newborn state.[38]

In the same spirit, another Arab Higher Committee official, Emil Ghury, rejected any possibility of returning the refugees home, since this would "serve as the first step towards Arab recognition of the State of Israel and of partition." The solution, in his words, "was only possible through the renewed conquest of the territory that was captured by the Jews and the return of its inhabitants." He explicitly warned against abandoning the

struggle against Israel and seeing the problem through too small a lens, as if it were a purely humanitarian question of people uprooted from their homes: "They have turned a matter of *jihad* into a problem of refugees," he said. Looking to the future, Ghury was even clearer, resolving: "We are concerned to return and turn the question into a question of *jihad*. We are concerned to harvest hatred of the Jews in the heart of every Arab."[39]

This was the beginning of a linkage, that still exists today, between the refugee problem and the broader aims of the Arabs in the conflict. Palestinian leaders demonstrated that they considered the plight of the refugees secondary to the main political question—the elimination of Israel, the reversal of the outcome of the war, and the prevention of territorial partition. There was no separate Arab policy on the refugees—only what served at the moment as the greater cause of harming Israel and weakening it as much as possible. The Palestinian leadership signaled that it preferred extending the war over the possibility of return that would involve recognizing Israel.

Return, therefore, was not merely a matter of geography but also of time. It was not merely about moving ten or twenty miles to homes left behind, but primarily about returning to the time before the terrible defeat of the *Nakba* and the establishment of the state of Israel. Return was not only about physically moving from one place to another but about reversing all prior events. Since the refugees were a symbol of the Arabs' defeat and Israel's victory, as Bilby discerned, their return was seen as a means of erasing that defeat and that victory.

The Palestinian historian Walid Khalidi elaborated in the 1950s that return was not an end in itself: "It is sometimes suggested that the way to solve the Palestine problem is to approach it in a piecemeal fashion … Settle the refugees and the biggest obstacle to the solution will be removed. But the Palestine problem will remain as acute as ever with every Palestine refugee settled. The refugees may be the outward evidence of the crime which must be tidied out of sight but nothing will remove the scar of Palestine from Arab hearts … The solution to the Palestine problem cannot be found in the settlement of the refugees."[40] This admission is the heart of the matter: instead of being a legal or humanitarian issue, then and now, the

refugee problem is first and foremost a political problem, reflecting the desire to dominate the entire land.

Shortly afterward, however, the Palestinian leadership radically changed its position on the refugee question. If at first Palestinian leaders objected to the refugees' return because they saw it as entailing recognition of the postwar status quo, they soon realized that a return could actually upset that status quo and undermine the existence of the state of Israel. Whether for reasons of demography or security, it was obvious that the massive return of the refugees meant the resumption of warfare. The demand for return, wrote Palestinian historian Rashid Khalidi in analyzing the Arab mood of the time, "was clearly premised on the liberation of Palestine, i.e., the dissolution of Israel."[41]

A consensus was soon formed in the Arab world that Israel alone was responsible for the refugee problem and should therefore not be permitted to shirk responsibility for its resolution. The necessary solution, argued contemporary Arab leaders, was to allow the refugees to return home. In March 1949, the Arab League resolved that "the lasting and just solution of the problem of refugees is their repatriation."[42] Palestinian envoys, who met Israeli diplomats in the course of that year, also argued that the problem had to be solved through their return to Israel and that the refugees reserved the right to choose between return to Israel and rehabilitation in Arab countries.[43] In an internal report submitted by the Arab League secretary-general to the Arab League Council in March 1950, the Arab position was defined as insisting on the return of all refugees who wished to return.[44]

The demand for return became the official, agreed-upon position of the Arab states, which they then pressed at every opportunity and in every negotiation. They made this demand as a precondition for entering peace talks rather than as part of a future treaty. They demanded that Israel accept the principle of return and even begin implementation without any promises on their part.[45]

Some Arab politicians and media explicitly linked the demand for return to the elimination of the state of Israel. In October 1949, for example, Egyptian foreign minister Muhammad Salah al-Din said, "It is well known and understood that the Arabs, in demanding the return of the refugees to

Palestine, mean their return as masters of the Homeland and not as its slaves. With greater clarity, they mean the liquidation of the State of Israel."[46] The Palestinian journalist and historian Nasir al-Din Nashashibi also explained, "We do not want to return with the flag of Israel flying on a single square metre of our country, and if indeed we wish to return, this is an honoured and honourable return and not a degrading return, not a return that will make us citizens in the State of Israel."[47]

An article in the Lebanese weekly newspaper *Al-Sayyad* declared in February 1949, as the war ended: "We are unable to return [the refugees] honourably. Let us therefore try to make them a fifth column in the struggle yet before us. Up to now they [the Jews] argued that there was a state of war between us and could not ask them to accept soldiers, enemies, into their midst. But at present, if we shall appear in the guise of peace-seekers, they will have no argument."[48] One year later, an article in the same newspaper claimed that the Palestinians' return would "create a large Arab majority that would serve as the most effective means of reviving the Arab character to Palestine while forming a powerful fifth column for the day of revenge and reckoning."[49] The Lebanese *Saut el Ahrar* newspaper reported on a conference of refugees in Lebanon in October 1951, which resolved that "nothing will prevent the refugees returning to their homeland—Palestine" and that "any attempt to make peace with Israel will be strongly resisted."[50]

The Palestinian refugees, then, were not interested in returning peacefully to a sovereign and recognized state of Israel but rather in subverting the very foundations of that state's existence. Their strategic purpose was to restore the land to the Arabs and not just the Arabs to the land.[51] "Having lost the war," writes historian Avi Shlaim, "Arab governments used whatever weapons they could find to continue the struggle against Israel, and the refugee problem was a particularly effective weapon for putting Israel on the defensive in the court of international public opinion." As Benny Morris wrote, "the refugees had been, and remained, a political problem," and that the Arab states reasoned that their return to Israel "could help undermine the Jewish State, to whose continued existence they objected."[52]

The exception on this matter was again Jordan, where King Abdullah did not insist on the return of the refugees to Israel; he even worked at the outset to assimilate the Palestinians into his kingdom. Shortly after the end of the war, Jordan applied its own law to the portion of Mandatory Palestine just conquered by the Arab Legion (the West Bank), formally annexing it in 1950. The kingdom granted all the local Palestinians the right to vote for and be elected to the Jordanian Parliament, to obtain a passport, and to acquire citizenship. Slowly but surely, Palestinians were elected to the Jordanian Parliament and served as ministers; they achieved many diverse positions in public service and played a leading role in the Jordanian economy.[53]

This whole time, King Abdullah was explicit that the problem should be solved through the resettlement of the refugees in Arab countries. He judged that if large numbers of Arabs returned to Israel, they would create a perpetual source of friction between Israel and the Arab states, which would produce an ultimately dangerous situation. The peace negotiations between Jordan and Israel in 1949 to 1950 proved beyond doubt that Abdullah did not seek the return of the refugees to Israel: the king and his envoys demanded neither a single discussion on the matter of return nor a single clause on it in the draft agreements.[54]

Thus, the only Arab country willing to recognize Israel was also the only one not to demand the return of the refugees, making the link between (non)recognition of Israel and the demand that all refugees return there even more explicit. Those who were willing to reconcile with Israel did not demand that the refugees return there, while those who demanded their return had no desire for reconciliation, and considered return one of the most effective means for keeping the war from being concluded.

* * *

The flight of hundreds of thousands of Palestinians from Israel during the war came as a complete surprise to the Jews. Whereas it was later alleged that the Yishuv had preplanned the transfer of the Palestinians, there is no evidence of any preparations by the Israeli leadership to expel the Palestinians from the country. Not only were plans not made in advance,

but nobody asked what should be done if the refugees wished to return. The decision not to allow them to return was made in stages in the heat of battle. In the first stage, as early as May 1948, where the confusion is still evident, the Yishuv leadership decided not to call on the Arabs who were leaving the country to return, but also not to take steps in order to prevent them from doing so.

Golda Meir, then acting manager of the Jewish Agency's Political Department and one of the most influential figures in the Yishuv, visited Haifa in early May 1948 shortly after its Arab sector fell to the Haganah. Upon her return, Meir announced that "no extraordinary arrangements should be made to bring the Arabs back," saying, "We won't go to Acre or Nazareth to bring back the Arabs, but at the same time, our behavior should be such that if, because of it, they come back—[then] let them come back. We shouldn't behave badly with the Arabs [who have remained] so that others [who fled] won't return." David Ben-Gurion expressed a similar sentiment, explaining that while every Arab remaining in Haifa had to be treated with civil and human equality, "it is not our job to worry about the return of [those who had fled]."[55]

The rationale was obvious: the Arab population was a party to the war. So as long as the war dragged on, there was no reason for Israel to undermine its own position on the battlefield by bringing the Palestinians back home so they could start fighting again. In the battle for Haifa, for example, which raged on and off since the adoption of the UN partition plan in November 1947, dozens of Jews were killed and many more wounded. "There are no sentiments in war," said one of the city's civilian leaders. "Better to cause them injustice than that [we suffer] a disaster … We have no interest in their returning."[56]

Ben-Gurion explained the Israeli position clearly in a cabinet meeting in mid-June 1948, during the first lull in fighting: "If the war is resumed," he said, "it will be a war of life or death for us, not for them. If we win, we won't annihilate the Egyptian people or the Syrian people, but if we fail and lose—they'll exterminate us." That was why, he explained, Israel would not allow the refugees to return to the places they had left:

> War is war; we are not the ones who wanted it. [The Jewish city of] Tel Aviv did not make war on [the Arab city of] Jaffa. Jaffa made war on Tel Aviv. This must never happen again. We won't be righteous fools. There is no piety in returning the Arabs to Jaffa, only folly. Those who make war against us will shoulder the responsibility for it when they lose. If the Arabs return to [the Arab towns of] Abu Kabir and Jaffa, and the war starts again, the chances of ending the war as we want will be diminished.[57]

The decision not to allow the refugees to return was made at the peak of the war. One month after the declaration of independence, in June 1948, IDF forces were "worn out and seriously exhausted," as Moshe Sharett reported. "They are barely holding onto many vital positions." Ben-Gurion's stance was accepted on account of a genuine fear that letting the Arabs return during the fighting would weaken Israel, prolong the war, and increase the number of Israeli casualties. Military intelligence had warned Ben-Gurion that if the Arabs returned to villages that had fallen to the IDF, "There is a serious danger [that returning villagers] will fortify themselves in their villages behind our front lines, and with the resumption of warfare, will constitute at least a [potential] Fifth Column, if not active hostile concentrations." The IDF also warned that unless the Palestinians' return to their conquered villages were prevented, it would have to "set aside considerable forces again to clean up the rear and the lines of communication."[58]

Ultimately, these concerns about the potential security implications of a mass return led the country's leadership to decide to prevent the Arab refugees from returning home. Sharett cabled Israeli diplomats in July 1948 that it was out of the question to allow the Arabs to return while the state of war was ongoing, because this would mean the introduction of a fifth column, provision bases for enemies from outside, and ramifications for law and order inside.[59]

At the same time, Israel's leaders started considering the question of their position on the issue of the Arab refugees after the end of the war, especially if a peace treaty were to be signed. After extensive consultations

and deliberations, and faced with the Arab world's hardline opposition, Israel concluded that the refugees should be rehabilitated in Arab countries, while agreeing to a limited return as part of, and subject to, the terms of a peace treaty.

Ben-Gurion and Sharett believed that peace for the nascent country and the entire region required the complete rehabilitation of the refugees in neighboring countries. A large, hostile Arab population, which had just taken up arms to try to destroy Israel, would have been a perpetual enemy within Israel's borders. Sharett argued that not only would Israel achieve domestic stability more quickly if the Arabs were rehabilitated elsewhere, but its "peaceful relations with the Arab world would be put on a much firmer footing." He reasoned that such a result would vastly improve Israel's chances of securing peace with the neighboring Arab states. "However pampered the Arab minority in the State of Israel might be," he argued, "they would always complain of unfair treatment, and their complaints would always act as an irritant in the relations between Israel and her neighbors and serve as a perpetual excuse for the latter to try and interfere in the affairs of the former. In the long run it was in the best interests of all concerned that the Arab minority in the State of Israel be a small and not a large one."[60]

A special committee appointed by Ben-Gurion cited numerous reasons why Israel should reject the principle of the Palestinians' return and work to resettle them in neighboring countries instead. The Palestinians' departure, the committee found, was the most realistic solution to the territorial problem because it had created two separate areas, each with a relative demographic homogeneity. The return of the refugees would have imposed a heavy economic burden on the country. Their hostility to Israel, and the way the Arab world had incited them against it, would have rendered the refugees a kind of fifth column. The committee concluded, therefore, that the most desirable solution was resettlement in neighboring countries. Submitting its conclusions on August 29, 1948, the committee reasoned that the three most suitable Arab countries for the absorption of the refugees were Iraq, Syria, and Transjordan, because they were sparsely populated and needed serious manpower to develop and cultivate their lands.[61]

Nevertheless, the Israeli leadership still did not completely rule out the return of a number of Arab refugees as part of a peace treaty. In late August 1948, Ben-Gurion wrote in his diary: "Should we bring them back? Under what conditions? When? Whom?" In March 1949, Moshe Sharett said that Israel would be willing, under certain conditions, to permit the return of a "certain proportion," but added that this was conditional on a "kind of peace." In April 1949, Ben-Gurion said that he would not "exclude the possibility that [Israel] contribute to settling a portion of them"; in May, Abba Eban told the United Nations that Israel "does not reject" the principle of letting refugees return.[62]

Note that Israel's objection was to the principle of the mass return of refugees as an ethnic group, not to the return of individual refugees out of special humanitarian considerations. Israel was not blind to special circumstances and offered a small number of Palestinian refugees the opportunity to return in the framework of family reunification. Indeed, starting in summer 1948, a few thousand Arabs who had left Israel during the war did return.[63]



This Israeli policy was very much aligned with international practice at the time, and perhaps even more generous to the refugees than the parallel norm. It was actually the approach of the international community in giving the Palestinian refugee problem exceptional treatment that did not conform with contemporary norms.

The main concern of the Western Allies in the post-WWII era was to maintain the peace. As noted in the previous chapter, creating ethnically homogeneous states, even through forced population transfers, was considered desirable and legal. No legal obligation or treaty existed that prevented the expulsion of the Palestinians in the war (if and when that happened), or that obliged Israel to let them return to its territory.[64] A legal right that refugees had, as enshrined in the 1951 Refugee Convention, was that they could not be forcibly repatriated to their country of origin (a procedure called *refoulement*).[65] In other words, international law made it illegal to force someone to repatriate against his will. Western Allies wanted

thus to protect, for example, former residents of the USSR, who found themselves in other parts of Europe at the end of the war and did not want to return home, fearing Stalinist reprisals.

Refugee returns did occur at the time, but these were not the result of a legal obligation, nor were they forced against the will of the receiving state. This return was usually called "majority return"—that is, a return of a refugee population that belonged to the ethnic majority group in a sovereign state, and which therefore could be safely considered as not a threat to the internal cohesiveness of the state and to the peace.[66]

Immediately after the Second World War, there was a massive return of Polish refugees to Poland: some 600,000 came back to their homeland between 1945 and 1947, mostly from Germany. A few years later, in the wave of decolonization that engulfed Africa and Asia, many refugees returned to their countries after their liberation from foreign rule. Some 200,000 Algerians who had fled during their war for independence from France, for example, returned in 1962 from neighboring Tunisia and Morocco. In 1972, Bangladesh experienced the largest post-WWII return of refugees: some ten million Bengalis, who had escaped to neighboring India during the Liberation War from Pakistan, came back in the space of under a year.[67]

In each of these cases, the returning refugees were members of the majority group, had not been at war with the majority population, and there was no ethnic conflict between the returning and receiving sides. The sovereign state that enabled their return and had made them citizens, therefore, made the sovereign choice to enable these refugees to return, knowing that they were safe in making that choice. This was the international norm in which Israel had operated.

The state of Israel, therefore, was being asked by the Arabs to perform an extraordinary act: it was called on to admit to its sovereign territory hundreds of thousands of Arabs, against international norms of the time, without a peace treaty, and while the Palestinians and the Arab world continued to threaten it with another war—even calling the refugees a pioneer force toward this end. Israel was fully justified in refusing that demand, which would practically amount to committing suicide.



The original sin in introducing the idea of a Palestinian "right of return" was committed not by an Arab politician but a Swedish count: Folke Bernadotte. Shortly after Israel's establishment, Bernadotte was appointed the UN mediator in the Arab–Israeli conflict and arrived in the Middle East to mediate between the sides and end the war. A member of the Swedish royal family, Bernadotte was deputy head of the Swedish Red Cross during the Second World War and became its president in 1946. At the tail end of the war, he negotiated the release of thousands of Scandinavian prisoners, including a few hundred Jews, with Nazi Germany. This rescue initially helped allay Israeli concerns over Bernadotte's appointment as UN mediator. In the summer of 1948, the tall and fair-haired nobleman took up residence at the Hotel des Roses in Rhodes, where he used a KLM-owned "Dakota" light aircraft to hop between Tel Aviv, Cairo, Damascus, and Amman. The chief obstacle in his mission was the approach of the Arab world, as noted earlier in this chapter, of vigorous opposition to recognizing the state of Israel in any borders whatsoever.

While his personal background included humanitarian activity, his attempts to secure a compromise were first and foremost a matter of politics, given the web of interests and desires of the great powers at the time. On the one hand, Britain and the United States sought to preserve Western hegemony in the Middle East in order to prevent Soviet penetration and guarantee the continuing flow of oil from the Levant to Europe. The two therefore sought to protect their good relations with the Arabs, especially the vassal kings of Jordan and Egypt, and stop them from drifting away. On the other hand, the Soviet Union sought to undermine Western control in the region by subverting those same pro-British monarchical regimes. This question of geopolitical power—not justice and morality—was the driving factor behind Bernadotte's activities. Bernadotte's position ultimately overlapped with the interests of the West, which was trying to take the conflict off the agenda by any means possible.[68]

Were it not for this question of geopolitical power, it is likely that the Arabs' demand for return would have remained a matter of dispute between

Israel and the Arabs alone, without a further international dimension. Had this been the case, the issue would have likely dissipated over the years, as elsewhere in the world. What Bernadotte did, as the representative of the Western powers' interests, was to grant a seal of approval to the Arab ambition to eliminate the state of Israel. The Swedish mediator entrenched the matter as an international question with a moral and legal character, upon which the Palestinians have been relying ever since. Bernadotte's approach greatly diverged from the more generally accepted way of dealing with refugee problems at the time, and remains into the present day one of the biggest obstacles to achieving a peace deal.

Faced with this Arab opposition, Bernadotte's proposed solution was effectively to reverse the partition plan and to cripple Israel's new independence. In his diary he admitted that he thought the partition plan was "unfortunate" and the real cause of the war, since the Arabs had stated in advance that they would resist it.[69] On June 28, 1948, he formally presented the sides with a proposal for the establishment of an Arab–Jewish federation in the former Mandate territory. The plan would have undercut the Jewish state's sovereignty on the critical matter of absorbing Jewish immigration (when creating a safe haven for persecuted Jews around the world was a major raison d'être of the Jewish state) and would have removed the Negev from its control. Bernadotte even sought to transfer the whole of Jerusalem to Arab hands instead of international custodianship, as previously decided.[70] It seemed Bernadotte steered away from proposing the complete abolition of the state of Israel only because it already existed and at least a dozen states, including the United States and Soviet Union, already recognized it, but he also seemed to have made every effort to limit Israeli sovereignty to the point of nearly nullifying it.[71]

The different approach he took toward the two warring sides was striking. During meetings with Arab leaders in Cairo in July 1948, Bernadotte heard their complete rejection of the state of Israel. The secretary-general of the Arab League told him that the Arab world "would rather go under than give up the fight." And Egyptian prime minister Mahmoud Fahmy al-Nokrashy told him that the Arabs "could never agree to the establishment of a Jewish State." Leaving one of these meetings,

Bernadotte jotted in his diary, “I was happy to establish that the confidence the Arab representatives had in me was in no way impaired. I felt that they were still willing to accept me as Mediator.” Later he added, “I did not feel in the least disappointed. I had never imagined that I would be able to shake the Arabs’ view.”[72]

Like many foreign envoys who followed Bernadotte throughout the decades, Bernadotte accepted the Arab objection to Zionism as an immutable fact of nature, seeking neither to challenge nor change it. He therefore persisted in what appeared as the easier path of trying to chip away at Israel’s sovereignty by pressuring Israel to make ever more concessions.

Indeed, Bernadotte’s conversations in Tel Aviv with the Israeli leadership took place in a completely different spirit. While tens of thousands of Jews were still sitting in displaced persons camps in Europe and Cyprus, trying to begin to recover from the horrors of the Holocaust, and while their compatriots were fighting to achieve sovereignty in a fraction of a percentage of the Middle East, Bernadotte thought it right to lecture Moshe Sharett about how to win the hearts of the nations of the world. Meeting the Israeli foreign minister in August, the Swedish mediator accused the Israeli government of “arrogance and hostility” toward UN representatives, saying that “what mattered most for the Jews was to increase their good-will in the world at large” and that the Jews “ought to set themselves forthwith to counteract the prevailing hatred between Arabs and Jews.” If the Israeli government had acted differently, he argued, “its prestige in the world at large would have been immeasurably increased.”[73]

It is hard to discern what Bernadotte’s real motives were behind this attitude, but it is troubling to consider that perhaps he was more comfortable with the old-age image of Jews as powerless creatures than with the independent and self-reliant Zionist Jews that he met in Israel. In his diary, for example, he described how he met “a deputation of venerable, white-bearded Rabbis” one day in Jerusalem, who talked a lot but were otherwise charming. “The orthodox Jews,” he later wrote, “are nothing like as fanatical as, for example, the extreme Zionists.”

As Bernadotte continued his efforts to service the interests of the great powers, and realizing that his only path to appeasing the Arabs was to pressure Israel as much as possible, he put forth a new plan in September 1948. It redrew Israel's borders, demanding that Israel cede much of the territory it already captured in the war, as well as territory that was allocated to it in the UN partition plan. It allowed Israel to keep western Galilee, which it had already captured, but took away the Negev, so that Bernadotte's Israel would be even smaller than that proposed and approved by the UN.[74]

The day after Bernadotte finished writing the plan, the Swedish count was assassinated by members of Lehi (a breakaway pre-state paramilitary organization) in Jerusalem due to his anti-Israeli stance. His plan was still submitted by his deputy, Ralph Bunche, but it was never put into action. The Arab League in Cairo rejected the proposal, restating that it would neither recognize Israel nor accept its existence in any boundaries whatsoever.[75] Israel also objected to the plan because of its sweeping territorial demands.[76]

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Although the plan was shelved, Bernadotte still set a number of precedents regarding the Arab refugees, which would continue to haunt, and even fuel, the Arab–Israeli conflict. He was the first to decide that responsibility for the stateless Palestinian refugees should fall on the international community via the United Nations: the Arabs were inhabitants of the territory entrusted by the international community to Britain as a mandate, Bernadotte judged, so they understandably expected tangible assistance from the United Nations.[77] In that, Bernadotte overlooked the Palestinian Arabs' own responsibility for their fate and their choice not to establish their own state as offered by the international community, which would have given them territory, citizenship, and statehood.

Bernadotte also demanded the return of the Arab refugees to the territory of the state of Israel. In so doing, he operated against the conventional view at the time, as noted, that the ethnic separation of rival populations was a lawful, moral, and legitimate tool of peace-making. He

accepted the Arab position and called the refugees innocent victims. “It would be an offence against the principles of elemental justice,” determined the Swedish mediator, if they were “denied the right to return to their homes.” Bernadotte also proposed that the United Nations should affirm “the right of the refugees to return to their homes at the earliest practical date,” and that it should monitor the realization.[78]

Bernadotte’s position was exceptional, first in his insistence on the return of a refugee population against the wishes of a sovereign state, and then in ignoring the real danger of perpetuating the war (in contradiction to the essence of his role as peace mediator) when he heard himself from Arab League secretary-general Azzam Pasha that it would be possible to recruit from among the refugees “an irregular army that would be in a position to cause a great deal of inconvenience to the Jews by acts of sabotage.”[79]

Bernadotte’s position was also unprecedented in his definition of this return as a “right,” and in its explicit stipulation of a return to the refugees’ actual homes. Bernadotte’s position was further unprecedented in the distinction that he drew between the Palestinians as a national collective and belligerent side, and the personal plight of individual refugees. In so doing, Bernadotte treated the Palestinian refugees completely differently from other refugees. When the question of German refugees was discussed after 1945, there was no question that their fate was directly shaped by Germany’s responsibility for the Second World War, and as much as millions of Indians and Pakistanis suffered personal tragedies, that was not considered a reason to reverse the partition of the Indian subcontinent and restore them to their former homes.[80]

Had Bernadotte not insisted on the refugees’ return to their individual homes, referring instead to their “homeland” or “country,” he would have acted in accordance with the partition plan. Such a scenario, at least from an international perspective, would have given the Palestinians support only for a return to Arab territory in the former Mandate territory (that is, to the Jordanian-occupied West Bank and the Egyptian-occupied Gaza Strip), and would have provided a rational and peaceful solution to the problem of the Palestinian refugees. This would also have dramatically reduced the scope of the Palestinian refugee issue, as a significant number of the Palestinian

refugees had actually remained in Mandatory Palestine and had therefore never left their homeland.

Rather than set in motion a process that would ultimately lead to peace, Bernadotte opened the door to a protracted war under the cloak of international legitimacy. In his eagerness to accept the Arab position, he betrayed his role as someone charged with furthering peace and placed diplomatic explosives at the heart of the conflict that would turn it into one of the world's most protracted disputes.

Bernadotte presented two principal reasons for his recommendations. The first was humanitarian, invoking "principles of elemental justice"; the second was consequentialist, inasmuch as he believed that the international community had to accept responsibility for the "Palestine refugees" as a necessary condition for the success of UN peace efforts. Bernadotte believed that his approach would help to achieve peace.[81]

Neither of these arguments had any real foundation. First, this was not a question of "elemental" justice, because nothing like it had been done anywhere else other than Mandatory Palestine. As noted before, repatriation of hostile populations against the will of the receiving country simply did not occur. The consequentialist aspect of Bernadotte's position was even less reasonable. Both before and after the plan's publication, the Arab states took pains to stress that they would never accept a Jewish state in any borders and under any circumstances. Bernadotte knew this, which was exactly why his plan stated that the Arab world "would reject any recommendation [that the international community will submit to them] for acceptance of the Jewish state or its recognition."[82]

The recommendation to repatriate the refugees to Israel was for Bernadotte, as for the Arabs, a political matter. For the Arabs it was part of their ongoing war against Israel, and for Bernadotte it was a means of allaying the Arabs' anger. The idea that the Jewish people would not have their state was considered not an unreasonable price to pay, certainly after the devastation of WWII, as Bernadotte was trying to balance the interests of the great powers in a stable Arab world.

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Three months after Bernadotte's assassination, the UN General Assembly passed Resolution 194, which was based on his plan. Even though this was a General Assembly resolution, which by definition cannot confer a "right," the Palestinians continue to cite to this day this resolution as one of the central pillars for their claim that they possess a right of return into the sovereign state of Israel. The resolution, headlined Progress Report of the United Nations Mediator, calls for the peaceful resolution of all disputes between Israel and the Arabs, and encompasses fifteen paragraphs. Paragraph 6, for instance, calls for comprehensive negotiations between the sides, and paragraph 10 calls on regional governments to facilitate the economic development of the former Mandate territory.[83]

Paragraph 11 resolves that "the refugees wishing to return to their homes and live at peace with their neighbours should be permitted to do so at the earliest practicable date," adding that "compensation should be paid for the [abandoned] property of those choosing not to return."[84] The United Nations was mandated, therefore, to facilitate the repatriation, resettlement, and socioeconomic rehabilitation of the returning refugees, as well as the payment of compensation to those opting not to return.[85]

In contrast to how the resolution is interpreted today, Resolution 194 was not a reflection of the international community's judgment of the moral and just way to solve the Arab refugee problem. Instead, it was a reflection of the political and colonial aspirations of the West to maintain its influence in the Middle East and to keep the Arab world under its patronage. It was also an act of balancing out the damage caused to the West in the Arab world for their support of the partition plan. The resolution was steered by Britain and the United States, which was why the entire Communist bloc, headed by the Soviet Union, opposed it, trying to sabotage the West's, and particularly Britain's, imperial interests.[86]

Israel was not yet a UN member state at the time and so was not eligible to vote at the General Assembly. All the Arab states that were UN members at the time of the resolution—Egypt, Syria, Lebanon, Iraq, Saudi Arabia, and Yemen (Jordan had not yet been admitted)—opposed the resolution on political grounds: the mention of Israel's name and the call to begin negotiations were taken to imply recognition of Israel's existence. The Arab

states resolved that they could not possibly accept a solution for the refugee problem that required recognizing Israel.

A few weeks later, however, Arab leaders decided to enthusiastically endorse the resolution. Rather than accept the entire resolution in the context of moving to peace with Israel, they rallied around one clause and took it out of context of the entire resolution—clause 11.[87] As they brandished paragraph 11, the Arabs systematically violated, for example, the above-mentioned paragraph 10 and, instead of facilitating Israel's economic development, imposed a comprehensive boycott on it. The Arab states rejected the spirit of the resolution—the peaceful resolution of the Arab–Israeli conflict—as they held steadfast to one single clause that they knew, if fully enacted, would cancel the fundamental intent of the entire resolution.

Israeli envoy Abba Eban reminded the United Nations a year later that while some argued that Resolution 194 called for the unconditional return of the refugees, "the General Assembly has never adopted any resolution of that kind." "What the General Assembly did," Eban elaborated, "was to adopt a resolution calling upon the parties involved in that conflict to negotiate a final settlement of all their outstanding differences. There has never been any international sanction for the extravagant view that a comprehensive solution of the refugee problem could be carried out in complete isolation from the wider context of inter-State relations in the area … The idea that the main purpose of that resolution—the restoration of peace—could be ignored and set aside while one of its specific purposes affecting refugees could be fulfilled, never, ever entered anyone's head."[88]

In subjecting paragraph 11 to this extreme and decontextualized interpretation, the Arabs persist in recalling Resolution 194 as if it gave them a full, immediate, inalienable, and unconditional right of return. The Palestinian leadership consistently cites this resolution in peace talks with Israel as a code name for what it considers a guarantee of the right of return, and Palestinians in refugee camps adhere to the resolution as supporting their purportedly absolute right to return to Israel.[89]

First, the view that 194 created a Palestinian right of return mischaracterizes the resolution's legal status. The UN General Assembly's

powers are limited; it cannot confer legal or binding rights. Thus, the resolution is purely advisory; it does not and cannot create a "right" to anything, including "return."[90] But even if the General Assembly did have the authority to confer legal and binding rights upon peoples and nations, a careful reading of 194 makes very clear that the objective was not to create a "right of return."

First, it changed some of Bernadotte's wording in favor of a more practical approach. Whereas Bernadotte made reference to a "right of return" in his plan, Resolution 194 does not speak of a "right" at all. The resolution states that refugees "should be"—not "must be"—permitted to return. Abba Eban noted in his memoirs that this phrasing, which effectively left the final decision in the hands of the sovereign authority (namely Israel), was a result of his efforts and agreed to by the United States.[91]

Another important distinction is that Resolution 194 introduced the reservation that only refugees "wishing … to live at peace with their neighbors" should be permitted to return.[92] This raises the question of who among the refugees wished "to live at peace" with Israel, who would determine that, and how it would be determined. The reality was that many Palestinian refugees were either allied with or part of the militia that fought the Jews during the war. Many others were sympathetic to the cause. The Arab states and the refugees repeatedly made it clear that they did not accept Israel's legitimacy. Distinguishing Palestinian refugees who had made their peace with the existence of a Jewish state and wished now to return and live in peace within it from Palestinian refugees who wished to return and then pick up arms against Jews within the state was an utterly impossible task. It would have therefore been essentially suicidal for the nascent Jewish state to blindly accept a mass influx of these Palestinian refugees.[93] In sum, the intent of Resolution 194 was never of a superior and unconditional right that overrules and violates Israel's sovereignty, as the Arabs describe it to this day.[94]

In later years, the United Nations itself rejected the Arabs' more expansive ex post facto interpretation of the resolution, concluding that unconditional return was neither a practical nor the preferred option.[95] A

series of UN resolutions in the 1950s presented the resettlement of the refugees in Arab states as a solution equivalent to return; that is, the United Nations did not see return as an exclusive, peremptory solution, nor resettlement in Arab states as a violation of "elemental justice." Indeed, throughout the 1950s, the international community made several attempts to roll out large-scale rehabilitation projects to aid the refugees. The Security Council—arguably the most authoritative and important UN organ—never decided in any of its resolutions on the Arab–Israeli conflict that the refugees should return to their homes.[96]



In early August 1948, James Grover McDonald, freshly appointed the first US ambassador to Israel, arrived in Tel Aviv. The US ambassador took up residence first in the Gat Rimon Hotel on HaYarkon Street, near the beach, where he received a room with a view of the sea. Soon enough, McDonald asked to relocate: not only did a band play every night on the ground floor, making it difficult for him to work in his room, but the room above his was occupied by Soviet envoy Pavel Yershov, and several members of the Soviet delegation lived in the adjacent rooms. Every time the American diplomat was summoned to the public telephone at the end of the corridor, the doors of several of the Soviet diplomats' rooms suddenly swung open. McDonald was convinced that they were eavesdropping on him the whole time.[97]

It seemed that the rooftop of the Gat Rimon Hotel was one of the only places in the world at the time where American and Soviet flags flew side by side. The Cold War was raging with full force around the world, with each of the two superpowers trying to grab larger pieces of the world map. Stalin blockaded West Berlin to squeeze the Western powers out of the city, and Washington rolled out its Marshall Plan to rehabilitate Western Europe and prevent a communist takeover there. Elsewhere, the conflict between the communists and their rivals was drenched with blood: Mao Zedong was on the verge of taking over the whole of China; pro-Western forces were about to win their war against the communists in Greece. In the heart of Tel Aviv, meanwhile, the US ambassador scored one small victory in protocol:

his rival Yershov merely held the rank of minister, while McDonald was appointed ambassador.

McDonald, who was born in Ohio and had taught history and international relations at a few American universities, established his residence in September 1948 in the Tel Aviv suburb of Ramat Gan, not far from the home of Moshe Sharett.[98] McDonald was considered a personal confidant of President Harry Truman. He owed his appointment to the tension between Truman and Secretary of State George Marshall, and their disagreement over the correct policy approach toward the young state of Israel.

Internationally, Truman headed the pro-Israel camp, even rushing to recognize the state of Israel eleven minutes after its declaration of independence. Marshall, however, joined most of the defense and diplomatic establishments in opposing the creation of the state of Israel. While anti-Semitism may have played a role, this opposition to Israel was rooted chiefly in geopolitical considerations of Realpolitik, including the reliance on Arab oil and the assessment that the regional balance of power favored the Arabs. In a 2008 *Washington Post* column by the late Richard Holbrooke—who helped organize presidential advisor Clark Clifford's papers for a coauthored memoir—an internal conversation from 1948 was recounted, which described the position of the military establishment. "There are thirty million Arabs on one side and about 600,000 Jews on the other," said US secretary of defense James Forrestal to Clark Clifford, one of Truman's only advisors who favored recognizing Israel. "Why don't you face up to the realities?"[99]

As late as the eve of Israel's establishment, the Pentagon was still warning that American aid to the new country would damage US interests. Helping the Jews, argued State Department officials, would embolden the Arabs' hostility and destabilize the whole region. They feared the Soviet Union could "readily exploit" the situation to send armed forces to the Middle East in order to topple pro-Western Arab governments and replace them with pro-Soviet regimes. The United States would risk losing the friendship of Saudi Arabia, putting "important US oil concessions and air base rights" at risk, as well as American political and economic ties with

Arab states. The Arabs' hatred of Zionism was liable to translate into hatred of the West, so went the argument, and the United States would experience its own wave of anti-Semitism as the American public would conclude that supporting the creation of a Jewish state was "to the detriment of overall US security interests."[100]

Even President Truman, the most pro-Zionist figure in the US administration, wrote in his diary in 1948 of the need to buy the Arabs' support. "Great Britain has maintained her position in the area by cultivating the Arabs," wrote Truman. "Now that she seems no longer able to hold this position, the United States must take over, and it must be done by exactly the same formula; if the Arabs are antagonized, they will go over into the Soviet camp."[101]

It is in this context that one must understand the pressure that the US administration began to exert on Israel over the Palestinian refugee problem. Washington feared that the hundreds of thousands of homeless and jobless Palestinians who had taken refuge in neighboring Arab states would provoke political instability and the collapse of already unstable Arab regimes, and might even provide fertile ground for social ferment and communist revolutions. The last thing that US leaders wanted was to push the Arab nations away and see a communist post established in the heart of the Middle East.

At the end of September 1948, even before the approval of Resolution 194 in the General Assembly, the chairman of the US Joint Chiefs of Staff, William Leahy, reminded Secretary of State Marshall in a telegram that "the Joint Chiefs of Staff have on frequent occasions pointed out the critical strategic importance of the Near East area and the necessity, from a military standpoint, of maintaining the Arab world oriented toward the United States and the United Kingdom." The plight of the refugees, continued Leahy, was an opportunity to strengthen the friendship between the American and Arab peoples, and to enhance US prestige, which had taken a blow from the rapid recognition of the Jewish state. "Reports from our Missions in the Near East," said another telegram, "emphasize that the failure of the United States Government to render substantial assistance in this [refugee problem] emergency is jeopardizing our relations with the Near Eastern states."[102] For

the Americans, the main lens through which they considered the issue of the Arab refugees and the desired solution remained primarily geopolitical, rather than legal or humanitarian.

American policy wavered between President Truman's pro-Israel sentiments on the one hand, and what was perceived in Washington as the United States' global interests on the other hand, which many believed to require a pro-Arab orientation. One important element in this equation was the desire to protect the United States' friendship with Britain, which still had military forces in Egypt and Jordan and was making forceful demands to hobble the Jewish state. London objected to the partition plan and still hoped to take away the Negev from Israel in order to preserve territorial contiguity between Jordan and Egypt, its two Arab client states. In a parliamentary debate in early 1949, British foreign secretary Ernest Bevin accused Israel of uprooting half a million Arab refugees. Jewish extremism, he argued, was responsible for a large part of the Arab–Israeli conflict. Given American interests in the early Cold War and faced with a choice between Israel and Britain, Truman ultimately chose to side with the interests of the most US-friendly world power.[103]



The Arab states, meanwhile, continued to stick to their position that all the refugees should return immediately and unconditionally to Israel. In a meeting in Beirut with members of the UN Conciliation Commission in spring 1949, Arab leaders clarified that before they could even agree to discuss the possibility of opening negotiations, Israel should let back anyone who wanted to return. They also demanded that Israel return to the partition borders and cede whole swathes of the Negev. The Lausanne Conference of 1949, which was opened in this spirit, quickly reached a predictable dead end.[104]

Facing this reality, the US State Department settled on the position that the key to initiating a peace process in the Middle East was the mass return of refugees to Israel. While the Americans believed that the Arabs had to step back from their demand for the complete return of the refugees, they reasoned that Israel had to accept the principle of return and offer a

generous gesture to placate the Arabs. It seemed that Washington, conscious of its own inability to influence the Arab world, decided to pressure whomever it could. Dean Acheson, who had replaced George Marshall as secretary of state in January 1949, told Moshe Sharett in April 1949, "Repatriation of all of these refugees is not a practical solution, nevertheless we anticipate that a considerable number must be repatriated if a solution is to be found."[105]

The longer the failure of US diplomats and UN officials to bring about talks between Israel and the Arabs continued, the more Washington sharpened its tone toward Ben-Gurion's government in an attempt to twist its arm. This was reflected in a May 27, 1949, memorandum from acting secretary of state James Webb to President Truman. Webb wrote: "This Government has recently made representations to the Israeli Government urging its agreement to repatriation of a substantial number of refugees and the immediate commencement of repatriation of some portion thereof … the State Department believes that the time has come to make a basic decision concerning our attitude toward Israel … The United States has given generous support to the foundation of the Jewish State, since we believed in the justice of this aspiration … It is now essential to inform the Israeli Government forcefully that, if it continues to reject the friendly advice which this Government has offered … [the United States] will be forced with regret to revise its attitude toward Israel."[106]

Ambassador McDonald in Tel Aviv was well aware of the tension between the administration and Israel, but he was still surprised by the sharply worded "top-secret" telegram from President Truman that reached his desk two days later, on the morning of Sunday, May 29. The telegram, whose contents McDonald was asked to convey at once to Ben-Gurion in person, bore the clear mark of the State Department: it expressed severe disappointment with Israel's attitude, which it deemed dangerous to peace. The telegram further stated that Washington had made repeated, unsuccessful appeals to Israel for "the acceptance of the principle of substantial repatriation," and that the US administration considered Israel's present attitude "[in]consistent with the principles upon which US support has been based." The telegram concluded with the clear threat that if Israel

did not accept Washington's position, the United States would revise its attitude toward Israel.[107]

Ambassador McDonald quickly requested an urgent meeting with Prime Minister Ben-Gurion to convey this pressing message from President Truman. The meeting was arranged for the same day at 3:30 p.m. McDonald entered Ben-Gurion's office at the appointed time with an embassy staffer; Foreign Minister Moshe Sharett was also there. McDonald handed the telegram to Sharett, who read it aloud. When Sharett had finished, Ben-Gurion turned to McDonald and asked him, "How can we permit potential enemies to come back so long as Arab States openly threaten a new war of destruction? To whom should we turn if Israel were again attacked? Would the U.S. send arms or troops?" After a short pause Ben-Gurion added, "We can be crushed, but we will not commit suicide."[108]



The refugee question continued to concern Ben-Gurion and his fellow Israeli leaders, who sensed that the deadlock on the matter was endangering Israel's relations with Washington. "We face a crisis not comparable [to] previous occasions," warned Israel's newly appointed UN ambassador, Abba Eban. President Truman, Eban argued, was convinced that only an Israeli gesture would convince the Arabs to agree to resettle the rest of the refugees in their own countries.[109]

In this context, Israel articulated two important plans in the summer of 1949. The first was named the Gaza Plan, and it proposed transferring the Gaza Strip, in Egyptian hands at the end of the war, to Israeli sovereignty. Israel informed the United Nations that it was willing to grant Israeli citizenship to all the Arabs in the Gaza Strip, both original residents and displaced persons, and committed to take care of their resettlement and rehabilitation. Israel estimated that there were 180,000 Arabs in the Gaza Strip; the true number was closer to 300,000.[110]

Ben-Gurion wrote in his diary that the plan would grant Israel strategic assets, chiefly the removal of the Egyptian army from the Gaza Strip and the addition of relatively fertile land. It would also enable Israel to argue that it had thereby done its part toward solving the refugee problem. Israel

estimated that if it absorbed and naturalized refugees in the Gaza Strip, the size of the country's Arab minority would be more or less equivalent to the one it would have had under the 1947 partition plan. In exchange, Israel demanded comprehensive international aid to cover the inevitable costs involved.[111]

The US administration supported the plan but wanted Israel to compensate Egypt for the territory. Ben-Gurion consented to that as well and offered to transfer to Egypt a part of the northwest Negev along the border. But Cairo objected, claiming that the plan would only serve Israel's interests, expanding its territorial foothold without solving the refugee problem in its totality. "Not only would Egypt not give up the Gaza district," said the head of the Egyptian delegation at the Lausanne peace conference, "but [it] would firmly demand the southern Negev." Political leaders in Cairo denounced the plan as "a forerunner of Israeli aggression against Gaza," informed Washington of their formal rejection, and repeated their insistence that the refugees had a right to return to their homes.[112]

A short while thereafter, Israel articulated another idea: the 100,000 Proposal, offering to absorb 100,000 Arab refugees into Israel in the context of a peace treaty. The Israeli ambassador in Washington, Eliahu Elath, stated explicitly that the Israeli government intended thereby "to demonstrate [its] cooperation with the US" and that the purpose was for Israel to do its part in solving the refugee problem. President Truman sounded satisfied with the plan, and one of his advisors noted that the president was "extremely pleased … [and] thinks [the] 100,000 offer may break [the] deadlock." But the Arabs rejected this proposal, too. An Arab diplomat in Lausanne called it "a mere propaganda scheme." The Arabs claimed that the plan was "less than a token" and that the Jews could not oppose the return of a large number of Arab refugees on economic grounds while encouraging the mass immigration of Jews.[113]

Both of Israel's plans showed its willingness to contribute its share as part of a comprehensive agreement where all sides to the war would contribute theirs. For the Arabs, the humanitarian suffering of the refugees did not play a significant role, useful mostly as a political weapon against Israel. American diplomats at the Lausanne Conference received the

impression that the Egyptians demonstrated “complete indifference [to the] fate [of the] Gaza refugees.”[114] A senior representative of UNRWA stated in this context that “Arab leaders don’t give a damn whether the [Palestinian] refugees live or die.”[115]

Now and then, the Arab diplomats openly admitted to the Israelis that they had only placed the refugee question at the top of their agenda as a ruse. An Egyptian official told his Israeli counterpart that in the previous year, thousands of his countrymen had been killed in a cholera epidemic, and the government in Cairo had not batted an eyelid. “Why should we care for the refugees now?” the man wondered.[116] By rejecting both Israeli plans, the Arabs were sending a message that the issue of the refugees was examined only in the context of its service to the political cause of undermining Israel.

Summer 1949 marked the end of attempts by the Arabs and the international community to impose a mass return on Israel without a peace treaty. The United States and Britain understood that this would not happen, and after the Arabs rejected Israel’s proposals for a partial return, Washington and London began considering other solutions, first and foremost the economic rehabilitation of the refugees in Arab countries.

3: REJECTING INTEGRATION (1950–1959)

When the refugees begin to get some of the mobility that work gives them, they will begin to think less about wanting to go home.

—GORDON CLAPP, United Nations Economic Survey Mission for the Middle East

NUMBER OF REFUGEES (1950): 894,000[1]

In early summer 1949, a rumor started spreading around a Palestinian refugee camp near Jericho that a crazy man in a straw hat was standing at the crossroads a few miles out of the city and paying anyone who would help him dig a large pit at the side of the road.

He was trying to find fresh water in the middle of the desert. The earth there, so close to the Dead Sea, was covered in tiny salt crystals. Jericho recorded temperatures of over 113 degrees Fahrenheit in the shade that August, but the man in the straw hat was convinced that if only he dug a deep enough well, clean water would start gushing out of the ground. From morning to night, he stood there handing out shovels to discover the fresh water with which the Jordan Valley could be irrigated and the wilderness made to bloom.

The man was Musa Alami, mentioned in chapter 2, already known as a respected member of Palestinian society and a former member of the Arab Higher Committee. Alami had fled to Beirut and Amman during the war in

1948 but returned immediately thereafter to the West Bank, keen to do something for his people. Pained to see thousands of people crammed into refugee camps, waiting for charity from Western aid agencies, Alami decided to initiate the establishment of agricultural settlements along the Jordan River, in which the Arab peasants could rebuild their lives. To this end, he first sought the most urgent thing of all: water.

A scion of Palestinian aristocracy, Alami was very far from the lives of the peasants. His father, Faidi, had been mayor of Jerusalem in the early twentieth century. In 1919, Musa left for England to study law at the University of Cambridge. In photographs taken before his departure, Musa can be seen together with his parents, his father a refined man in a three-piece suit, with a thin combed moustache and a hair parting. On his return to Palestine he entered the command structure of the British Mandate, becoming the assistant attorney-general. At the trial of the suspects behind the murder of Zionist leader Haim Arlosoroff, Alami was the assistant to the chief prosecutor.

Alami had been involved in his people's leadership since the 1930s and was close to the Nashashibi family. He took part in discussions with the British about the future of the country and was one of the initiators of the British authorities' anti-Zionist "White Paper" in 1939, which severely restricted Jewish immigration. Alami was an entrepreneur at heart: he founded the Arab Development Society in the mid-1940s, raising funds from Arab League member states to develop Palestinian villages. After the Second World War, he headed the Arab Office, a Palestinian propaganda group that tried to frustrate the establishment of a Jewish state. On the eve of the British decision to leave the Mandate, Alami met foreign secretary Ernest Bevin in London to try to dissuade him from "abandoning" the Arabs.

Alami lost a large portion of his property in the war, and a few of the houses he owned were left in Israeli territory. But he decided not to wallow in the pain of the Arab defeat and instead harnessed his personal talents and wealth to help his people. In his mind's eye, he imagined founding new villages on both banks of the Jordan River, where Palestinian peasants could rebuild their lives, and make a dignified living from agriculture.

Alami wanted to build the first such village with his own hands. He appealed, therefore, to Jordan's King Abdullah and received an estate of 20,000 dunams (nearly 5,000 acres) near Jericho, a few kilometers north of the Dead Sea and 300 meters below sea level. Even though he lacked the necessary training and had never worked in this field, Alami tried to find water. Since the Jordanians had rejected his request for professional digging equipment, Alami decided to dig by hand.

He succeeded: a few months after Alami and his team started digging, they found fresh water deep underground. "Now you may die," one of the refugees told him. They quickly dug some fifteen wells, each over forty meters deep. The first vegetable harvests were of exceptional quality, thanks to the high potassium concentrations in the soil. Alami's dream of building a model Palestinian village, an experimental farm for the rehabilitation of refugees to serve as a source of inspiration and model for imitation, began to take shape.[2]

Soon enough, Alami attracted substantial attention from Arab diplomats and statesmen. *The New York Times* described him as "the Arab Moses" and saw him as an exemplary local leader, who was taking his people's future into his hands. The possibility that, in the barren, war-torn heart of the Middle East, a daring man might take it upon himself—practically with his bare hands, and against the odds—to rehabilitate the war refugees excited many.[3]

Alami, of course, was not taking the side of Israel with regard to refugee return. In fact, a few months earlier, as noted in the previous chapter, he had published an essay on the lessons that Arab society should learn from its defeat by Israel, writing explicitly about preparations for a war of revenge against the Jews.[4] He did not consider his activity on behalf of the refugees as a concession over the demand to return. He only thought that for the sake of his people's dignity and prosperity, they should at least live in humane conditions. Still, Alami's initiative happened at a critical time in the history of the refugee problem—when the international community stopped talking about a solution involving return and switched to talking about a solution involving rehabilitation.[5]

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By the end of 1949, Western powers had begun to despair of the possibility of finding a political solution to the Arab–Israeli conflict but could not permit themselves to walk away from the conflict or from the refugee problem, chiefly because of their geostrategic interests in the region. Washington and London, therefore, concluded that the time had come to explore other possible solutions. They assessed that it would be economically easier to rehabilitate the Palestinian refugees in spacious Arab countries with culturally similar populations. Thus, both powers decided to sever the refugee problem from the question of Arab–Israeli peace talks.

American geostrategic interests required the United States to stop the Soviet Union from gaining control over any country in the region. Washington feared that the communists were hoping to expand across the Middle East through political subterfuge, which was likely to be aided by the poor economic conditions in the region, especially among the refugees. It therefore became a strategic objective of the US administration to improve the economic conditions of the Arab refugees.[6]

George McGhee, the US assistant secretary of state for Near Eastern Affairs, addressed this subject clearly in his testimony to the US House Foreign Affairs Committee in Washington, DC, in February 1950:

> Our solicitude for the Palestine refugees, partly based on humanitarian considerations, has additional justification. As long as the refugee problem remains unresolved … attainment of a political settlement in Palestine is delayed … [and] the refugees … will continue to serve as a natural focal point for exploitation by Communist and disruptive elements which neither we nor the Near Eastern governments can afford to ignore … the presence of three-quarters of a million idle, destitute people—a number greater than the combined strength of all the standing armies of the Near East—whose discontent increases with the passage of time, is the greatest threat to the security of the area which now exists.[7]

Only a few months earlier, President Truman had threatened to reevaluate relations with Israel if it refused to absorb refugees. But US policy toward the refugees took a turn in the fall of 1949 away from insisting on return into Israel and toward resettlement in Arab countries. The Americans reasoned that the diplomatic track had run its course and that the comprehensive economic development of the Middle East would ultimately enable the resolution of outstanding political disputes between the sides. Washington's strategy remained the same—to solve the refugee problem in order to prevent a communist takeover—but the tactics had changed. The American diplomat Paul Porter noted that a breakthrough could only be reached "mainly along the lines of the refugees' integration in their present countries of residence," and McGhee added that the refugee problem had to be solved "economically rather than politically."[8]

The idea of using economic tools to achieve political goals was not something the United States applied to the Middle East alone. The Truman administration had previously implemented a similar policy in other parts of the globe, notably through the Marshall Plan in Europe. In spring 1949, Washington stopped pressuring Israel to absorb a large number of Arab refugees. At this time Israel was in the process of absorbing its own masses of Jewish refugees from Europe and the Arab world—in numbers that were greater than the local population, and thus was considered to be playing its economic part in absorbing the refugees created by WWII and the postwar upheavals. The US State Department drew up a comprehensive plan for the economic development of the Middle East, including the rehabilitation of the refugees. This lengthy document, which analyzed the refugee problem in depth and was completed in the summer of 1949, treated resettlement in Arab countries as the only possibility.[9]

Britain, too, acted at this stage in the Middle East on the assumption that there would be no return of refugees. The Foreign Office in London decided that "one of the primary missions of His Majesty's government in the Middle East would be to encourage the resettlement of the Arab refugees."[10] The Arabs had to understand, London argued, that they would ultimately have to absorb the large majority of the refugees, especially given that Arab countries had controlled the areas—the West Bank and Gaza—that were to

be part of the state that the Arabs of Palestine could have had, had they not rejected partition.[11] Canadian and Australian diplomats also voiced their assessment that the solution to the problem of refugees lay in their resettlement in Arab states.[12]



While Musa Alami and his colleagues were looking for water in Jericho, President Truman invited Gordon Clapp for a meeting at the White House. He wanted to give him a mission: to depart for the Middle East at the head of an economic commission that would examine how to rehabilitate the Palestinian refugees in Arab countries. Here, too, water was the name of the game. The man behind Clapp's appointment, US State Department official George McGhee, later testified that he had nominated Clapp for the mission "because he symbolized dams and water, which were key to the Middle East['s] development." Truman thought that Clapp was the right man at the right time and the right place.[13]

Clapp's appointment signified the turning point in the approach of the international community, moving away from a return-based solution to one based on rehabilitation. Clapp had earlier headed the Tennessee Valley Authority, a planning and development company established by the US government in 1933 as part of President Franklin D. Roosevelt's New Deal agenda. The company was a massive economic development project designed to rehabilitate the Tennessee Valley and the economy of the seven southern states on the banks of the Tennessee River, mostly through dams and power stations. It operated in a territory of some 200,000 square kilometers—almost twice the size of Israel and Jordan together—and helped millions of people improve their quality of life, mainly by founding new towns, building transportation routes, and developing agriculture and industry. The Americans hoped that what Clapp had achieved on the Tennessee River could be repeated on the Jordan River.

Clapp's Economic Survey Mission eventually set out to the Middle East under the umbrella of the United Nations: it was requested to facilitate the refugees' "repatriation, resettlement and economic and social rehabilitation"; this, pursuant to paragraph 11 of General Assembly

Resolution 194, mentioned in the previous chapter, in order to "reintegrate the refugees into the economic life of the area on a self-sustaining basis within a minimum period of time." It was also decided in the commission's mandate that its recommendations should "promote economic conditions conducive to the maintenance of peace and stability in the area."[14]

This wording of the commission's mandate in September 1949 was key. It listed reintegration as one of three possible solutions (return to Israel, resettlement, and economic rehabilitation). Thus, it differed from Resolution 194: paragraph 11 of that resolution gave clear priority to the solution of return, while the Economic Survey Mission's mandate removed this prioritization. If Resolution 194 reflected an international mood that preferred a return-based solution, the appointment and mandate of the Economic Survey Mission made clear that from now on the United Nations preferred an economic solution based on rehabilitation. The tide was beginning to turn from repatriation to rehabilitation and resettlement.

The US administration instructed the Economic Survey Mission to make concrete proposals for the permanent resettlement of the refugees and not content itself with temporary relief programs or emergency works, which would not benefit the long-term reintegration of the refugees in the economies of the Arab states. The US National Security Council also recommended that the American economic support be conditioned on the presentation of a comprehensive plan for the rehabilitation of the refugees—a clear threat to the United Nations' operations, because the United States and its Western allies were supposed to have borne the brunt of financing development and relief programs in the Middle East.[15]



Clapp landed in the Lebanese capital in early September 1949 at the head of a team of a few dozen experts. His arrival stirred disorder in the city. Barely three days had passed, and thousands of Palestinian women from the refugee camps near Beirut were marching toward the delegation's building to meet Clapp and protest his intentions. The police were forced to push them back. The next day the protestors presented the UN envoy a petition in which they "announce[d] to the world that they must go back [to Palestine]

even if they face death" and that they would "oppose by all means any project to keep them in countries other than Palestine." Emissaries from Mufti Hajj Amin al-Husseini also showed up, and pamphlets were distributed throughout the city signed by the "Liberated Youth of Palestine." They all had one demand—to foil any UN initiative that was not geared toward return.[16]

This sentiment was shared by all the Arab states, bar Jordan. While Lebanon allowed Clapp and his team to enter the country, its officials refused to meet them. The Syrian government also announced a boycott. For two whole weeks the delegation sat in Beirut with nothing to do, because no Arab government was willing to cooperate. "We were not well received in the Middle East," Clapp later testified about the beginning of his mission.[17]

The Arab world treated this moderate transition, from a solution focusing exclusively on return to one that would also include resettlement, with hostility. The Arab states read the map perfectly well, understanding that a delegation composed almost exclusively of technical experts—who would examine where and how to rehouse hundreds of thousands of Arabs, and would deal mostly with questions of water, infrastructure, and agriculture—did not intend to work exclusively or even primarily toward returning the refugees to Israel.

The resettlement of a significant number of refugees in Arab countries would have relieved Israel of one of the most potent threats to its existence and deprived the Arab states of a key political and diplomatic weapon in their struggle against Israel. At this point the refugees were the only visible evidence of a conflict between Israel and the Arabs. Their rehabilitation would have left the Arab states without grounds for complaint. Rehabilitation in the Arab states would have healed the wounds of the 1948 war, but not by rewinding the clocks and abolishing Israel as the Arab countries had hoped. The rehabilitation of the refugees in Arab countries would have meant the end of the war, but that was not what the Arabs wanted. There was a way to solve the problem by creating a new status quo in the Middle East, but the Arabs were determined to use the problem to destabilize exactly that status quo.[18]

In order to get the Arab cooperation he needed, Clapp drew his strongest card—economic assistance. A small UN agency established at the end of 1948 had been providing temporary relief to the refugees but was about to wrap up its mission.[19] Other international aid agencies, including the Red Cross, could no longer bear the burden of caring for the refugees. Clapp threatened that if the Arab states did not agree to cooperate, the international community would leave them to deal with the problem by themselves. After some discussion, a compromise formula was found that enabled both sides to work together: the Arab states agreed to waive their objections to the delegation's work, and in exchange Clapp promised to stop using the word "resettlement." From now on, they would only talk about temporary employment programs for the refugees without committing to an end date.[20]

This compromise reflected the complex interests of the Arab states. Arab public opinion viewed any possibility of rehabilitating the refugees outside Israel with hostility and would have treated Arab agreement on this matter as betrayal. Return to Israel was considered the only way to erase the humiliation of the military defeat, as it signified the destruction of the Jewish state. In the autumn of 1949, the US ambassador in Lebanon assessed that the Arab public objected so forcefully to abandoning the principle of return that "contemplation by governments of settling them elsewhere would likely make governments shaky."[21]

But noncooperation with the West would have come at a high price as well. The economic burden of caring for the refugees was severe—especially for Arab states whose economies were already unstable. If the West had completely walked away from financing assistance for the refugees, the Arab states would have been left alone with the problem. Arab leaders also hoped to use Western aid to improve the lot of their general societies. Leaving the refugee problem as it was, without any treatment, was likely to provoke political instability, especially since Arab leaders had already been humiliated once in their defeat by Israel; now they were also at risk of being left helpless in dealing with one of the consequences of the war.[22]

The Arab states' strategic decision was to accept the West's humanitarian aid while politicizing it and exploiting it for their own political interests. From now on, and for the whole decade until December 1959, Western aid for Palestinian refugees was the subject of a struggle between the international community and the Arab world, in which each side tried to tug the blanket in its own direction but not so hard it might tear.[23]

Clapp's compromise formula to refrain from using the word "resettlement" was effectively an attempt at mutual deception, which paved the way for further such attempts. Clapp and Western states continued to work toward an economic solution to the refugee problem, but without saying so explicitly. They hoped that temporary jobs would draw the refugees into permanent employment in the Arab countries and that this in turn would lead to the construction of permanent housing and the creation of functioning communities, which in only a few years would no longer need relief from the international community and stop seeing themselves as refugees.

The Arab states, by contrast, understood that the West would not support their desired goal of eliminating Israel through the return of the refugees, but did not agree to rehabilitate them. The West was convinced that it had managed to maneuver the Arab countries into taking the path it had set for them; and the Arab states signaled that they were willing to take this path, while going their own way with no intention of arriving where the West had hoped to lead them.

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After around two months of touring the Middle East, Clapp published his recommendations, which centered on establishing economic development projects, especially in the fields of agriculture and transportation, in Jordan, Syria, Lebanon, and the Gaza Strip; no projects were planned in Israel. Instead of leaving the refugees forever dependent on foreign aid, the initiatives were supposed to enable them to slowly stand on their own feet in earning a living. The Economic Survey Mission explained the logic behind its recommendations in a very roundabout way and refrained from

explicitly stating its political purpose. “The opportunity to work,” the mission wrote in its interim report on November 16, 1949, “will increase the practical alternatives available to refugees, and thereby encourage a more realistic view of the kind of future they want and the kind they can achieve.”[24] In other words, if the refugees found work and a livelihood in Arab countries, they would draw the definitive conclusion that this was where their future lay.

By this time the Economic Survey Mission understood that return to Israel was no longer a realistic option: while it recommended only temporary work to improve the refugees’ economic position, it saw their longer-term rehabilitation as the most logical solution to the problem. Clapp himself was optimistic, confident in his testimony to the US Congress a few months later: “Some of the refugees, I am sure,” he said, “when they begin to get some of the mobility that work gives them, will begin to think less about wanting to go home and more about where they want to live in the future. Some of them will want to settle where they are.”[25]

In order to launch its rehabilitation plan and deliver aid to needy refugees, the Economic Survey Mission recommended establishing a new UN agency. This agency would operate for a limited time period, and one of its roles would be to enable the Arab states to prepare for the eventual discontinuation of international aid for the refugees.

The Americans were happy with the Clapp report, which greatly suited their approach, and they began writing a draft resolution in this vein for approval by the UN General Assembly. The Arabs, true to their strategic position of accepting aid with one hand while exploiting it for their political interests with the other, sought to insert a few important amendments to the impending resolution.[26]

The first addition that the Arabs asked to make to the draft resolution was a reference to paragraph 11 of Resolution 194, which, as noted earlier, sought to enable the refugees who agreed to live at peace with their neighbors to return to their homes. Whereas the original draft resolution mentioned paragraph 11 only in its preamble, the Arab draft included paragraph 11 in the objectives of the new agency, meant to oversee and assist with the rehabilitation of the refugees.

The second revision that the Arab states sought was to enhance their own influence over the determination of the new agency's policy and to commit the management of the agency to consult them. The third change concerned the cutoff date for the direct provision of international aid to the refugees: the original draft intended to set an end date—after a single year of operation—but the Arabs asked to insert the proviso "unless otherwise determined by the General Assembly" in its session the following year. The fourth and final change concerned the name of the new agency: the original American draft spoke of a "Near East Relief and Works Agency" (NERWA), whereas the Arabs proposed calling it the "United Nations Relief and Works Agency"—UNRWA. These changes remain to the present day the foundation stones of the organizational infrastructure of international aid to Palestinian refugees.[27]

The Arabs' proposed revisions to the resolution illuminated their intentions. Whereas the international community had abandoned its efforts to find a solution on the basis of return, the Arab amendments to the resolution restored it to the heart of the debate by incorporating paragraph 11 of Resolution 194 into it.

Lest they lose control of events, the Arabs demanded that the agency's chiefs be required to consult with them regularly. The Arabs also demanded the addition of the initials "UN" to the agency's name, reflecting the Arab creed that the international community was responsible for the creation of the refugee problem, given support for the partition plan of 1947. Moreover, to clarify that they had no intention of solving the problem in the foreseeable future, the Arabs sought to add an option for the repeated extension of the agency's mandate, which has indeed been invoked recurrently into the present day.

The Arab states thus presented in effect a long-term strategic vision and clear future planning in line with their objectives, making clear that improving the living conditions of a few hundreds of thousands of refugees was less important than their war with Zionism. They ultimately succeeded in imposing their position, mainly because their support as the refugees' host countries was necessary for implementation. The revisions that the

Arabs demanded were inserted into the UN General Assembly's Resolution 302, establishing the UNRWA on December 8, 1949.

The resolution set the agency's objective as the implementation of the Economic Survey Mission's recommendations in the fields of relief and rehabilitation. The Arabs had secured continued funding from the international community to deal with the refugees, while also incorporating paragraph 11 of Resolution 194 to keep the solution of return alive. This success enabled them to continue presenting themselves as speaking for the interests of the refugees and as fighting without fear for the sake of the Palestinians.[28]

A few months later, the Arab states again elucidated their intentions, this time in the UN General Assembly deliberations on the establishment of the UN High Commissioner for Refugees (UNHCR). UNHCR was mandated to lead and coordinate international action to protect and resolve the problems of the masses of refugees, initially in Europe, and later around the globe, usually by finding safe refuge and rehabilitation in another state. UNHCR implemented a policy that did not privilege return. The purpose of UNHCR was to take whatever means were necessary to end the plight of individual refugees.[29]

When the Arab states understood that the new body would not make repatriation or return its focus, and would not consider the principle of return an absolute and inalienable right of refugees, they demanded to exclude the Palestinians from its mandate and leave them under UNRWA. This demand set the stage for guaranteeing the perpetuation of the Palestinian refugee problem for the next decades.

Envoys from Egypt, Lebanon, and Saudi Arabia all wanted the United Nations to determine that UNHCR would not deal with refugees who were already being treated by existing agencies (apart from the Palestinians, the only refugees who had their own dedicated agency at the time were refugees from the Korean War).[30] In his explanatory remarks, the Egyptian ambassador noted that including the Palestinians with all the world's other refugees would endanger their "right to repatriate."[31] The Saudi delegate was very clear in saying that the inclusion of Palestinians under the wing of the new agency "would be to renounce insistence upon repatriation."[32]

Throughout the deliberations, the Arabs opposed every formulation or declaration that might have created equivalence between the status of the Palestinians and other refugees around the world.[33]

The Lebanese representative, Mr. Karim Azkoul, elaborated on the Arab view of the difference between the Arab refugees and all other refugees in the world. "In all other cases," he said, "persons had become refugees as a result of action taken contrary to the principles of the United Nations, and the obligation of the Organization toward them was a moral one only. The existence of the Palestine refugees, on the other hand, was the direct result of a decision taken by the United Nations itself, with full knowledge of the consequences. The Palestine refugees were therefore a direct responsibility on the part of the United Nations and could not be placed in the general category of refugees without betrayal of that responsibility."[34]

Azkoul also explained the need for differentiation between the Arab refugees and all other refugees: "The question of refugees was not invariably a purely humanitarian matter," he said. "It often had important political aspects."[35] In fact, it is this viewpoint articulated by Azkoul that is the reason for the perpetuation of the problem to this day—the Arabs' view that approving the partition plan in 1947 was an injustice that has to be reversed, as the only solution to the refugee problem and the Arab–Israeli conflict as a whole.

It was clear then from UNRWA's birth and in the following months that two different godparents with competing intentions had been appointed for the same child: the international community, which saw economic rehabilitation and resettlement of the refugees as the only realistic way to end the problem on the one hand; while on the other hand, the Arabs were striving to perpetuate the problem by maintaining an ever-increasing roster of Palestinian "refugees" and keeping the hope of return alive and very present. In a few years, it became clear who had the upper hand in this struggle.

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Jerusalem initially followed these developments with a mixture of satisfaction and cautious optimism. Israel's refusal to consider the return of

refugees outside of a comprehensive peace agreement with the Arabs, coupled with the Arabs' refusal to even begin negotiations prior to such an Israeli commitment, had brought the great powers to effectively abandon the idea of return. And as long as UNRWA's primary mandate and the dominant spirit of the UN resolution establishing the agency were geared toward economic reconstruction and local rehabilitation in Arab countries, Israel considered them in line with its interests and needs.

Throughout the 1950s, Israel made its position clear at several opportunities. The refugee problem, Jerusalem's leaders recalled, was created by nothing other than Arab aggression in the 1948 war. "If there had been no war against Israel," Abba Eban noted in a speech to the United Nations, "there would be no problem of Arab refugees today." Israel reasoned that, naturally, the party responsible for the problem was also required to solve it. Israel rejected the position that the United Nations or international community was responsible for a solution, reminding them that it was not the General Assembly's partition plan that created the refugee problem, but the Arabs' attempts to foil that resolution's implementation.[36]

As far as Israel was concerned, the solution of return proposed by the Arabs, without a peace agreement and without coming to terms with Jewish rights in the land, was an obvious existential threat to its ability to maintain itself as the sovereign state of the Jewish people. By contrast, the Arab states had vast, wide, empty spaces in which Palestinian refugees could be resettled; and the cultural, linguistic, and religious affinities between the refugees and the general populations of Arab countries rendered this solution easy to implement. This meant, Israel argued, that the obvious solution to the problem of refugees was their rehabilitation in Arab states.

Israel could draw encouragement from international precedents and conventional practice in the world at the time, which treated rehabilitation in the host countries as the most appropriate means of solving refugee problems, especially when there was cultural affinity between the refugees and their receiving countries. Indeed, since the Second World War and until the end of the Cold War in 1989, UN agencies that handled refugees devoted most of their resources to such solutions.

As early as 1939, Sir John Hope Simpson, a British statesman and one of the founders of the study of refugee crises in the twentieth century, wrote that “the possibility of ultimate repatriation belongs to the realm of political prophecy and aspiration” and that “it can be ignored … in any future program of international action aimed at practical liquidation of the existing refugee problems.” Likewise, in 1950, UN secretary-general Trygve Lie explained UN general policy on refugee questions around the world as follows: “The refugees will lead an independent life in the countries which have given them shelter … They will be integrated in the economic system of the countries of asylum and will themselves provide for their own needs and those of their families.”[37]

Throughout the world, in the 1940s and 1950s, millions and millions of refugees were rehabilitated in the countries that had given them shelter: some 600,000 Chinese fled China after the communist victory in 1949, finding shelter in British Hong Kong; nearly a million refugees from North Vietnam were rehabilitated in South Vietnam in the 1950s; some fourteen million Hindu and Muslim refugees found shelter in India and Pakistan, respectively, following the partition of the Indian subcontinent in 1947; more than ten million ethnic Germans, who were brutally and savagely expelled from Eastern Europe long after WWII was over and Germany surrendered, found shelter in West Germany; and hundreds of thousands of Jews, who were forced to leave Arab lands despite never raising their hands against Arab societies, were rehabilitated in Israel. In each of these situations, the refugees were assimilated in countries with people who were linguistically and culturally similar to them.[38]

Moreover, none of these refugee populations were rehabilitated with UN involvement. The young and impoverished state of Israel took it upon itself to absorb and rehabilitate hundreds of thousands of Jewish refugees—orphans, widows, men who had their entire families go up in smoke in the Nazi death camps, as well as Jews from Arab countries who were forced out of their homes with barely their clothes. Israel accepted and embraced a refugee population that was nearly double the size of the resident population without any international support.

As it considered the prospects for UNRWA, Israel could draw encouragement from the only other case in which a special UN agency had been established to deal with a specific group of refugees: United Nations Korean Reconstruction Agency (UNKRA) in Korea. The thirty-seven months of war between North and South Korea in 1950–1953 left South Korea far more devastated than the Arab states: some half a million people were killed, whole cities were turned to rubble, and the country's economy was paralyzed. At the end of the war, the United Nations activated UNKRA, a special agency to rehabilitate South Korea by aiding people displaced in the war and working to absorb the 3.1 million refugees from North Korea.[39]

In this case, when there was no attempt to undermine its efforts, in less than a decade, the agency managed to launch no fewer than 260 large-scale industrial and agricultural development projects, as well as to open mines, schools, residential blocks, and health institutions, all at a cost of $127 million (less than the initial sum allocated to UNRWA). Western states were also recruited to rescue South Korea from its dire straits, sending it dozens of cargo ships full of basic essentials and construction materials. They built seventy-seven storage facilities and twenty-nine pumping stations and dug more than seven hundred kilometers of irrigation channels. They built health clinics and hospitals. And the refugees' children, who had been studying in improvised classrooms in abandoned train carriages, were moved to new, furnished schools.

By 1958, the agency completed its work after every North Korean refugee had been rehabilitated and naturalized by the South Korean government. Seoul cooperated fully with the agency in its rehabilitation efforts.[40] These efforts bore substantial fruit: registering impressive economic growth in the early 1960s, South Korea went from one of the world's poorest countries, with a similar GDP per capita to impoverished African nations, to one of the world's strongest economies.

The process of rehabilitation was not always so simple; in many cases, as with the Palestinians, refugees opposed resettlement efforts, and continued to demand to return to their original homes. In post-WWII West Germany, for example, some ten million German refugees from Poland and

Czechoslovakia demanded to return to their homes in Eastern Europe. They had lived there for centuries. Their expulsions were generally not on account of any personal complicity, or because of their personal actions during the war or because they were Nazis, but simply because they belonged to the ethnic group that had lost the war.

Immediately after their expulsions, the ethnic German refugees set up their own political parties, newspapers, and organizations. They held demonstrations and public meetings, and published articles in the press. They saw their expulsion as a terrible crime and the root of all evil in postwar Europe. Their representatives declared that they would never recognize Germany's new border with Poland along the Oder and Neisse rivers—which was created by transferring the eastern territories of Germany, from which they were expelled, to Poland. Their declared aim was for Germany to return to rule the areas on its eastern border so that the expellees could return home.

They spoke of their right of return to their birthplaces (*Heimkehr* in German) as an inalienable right. They announced that they would not return to live as a minority under foreign (i.e., Polish) rule, meaning that they hoped for Germany to once again rule the territories forcefully ceded to Poland at the end of the war as part of Germany's unconditional surrender. One refugee leader said in 1953 that their objective was that "the whole east and southeast Europe region, i.e., all the areas where Germans used to live, will again be opened to us."[41] In effect, these refugees, just like the Palestinians, wanted to turn the clocks back—to return to the "Greater Germany" that existed before the Second World War and the defeat of the Nazis.

Germany's political leaders all paid lip service to the refugees' demands and publicly supported them but, in reality, did nothing to advance them. Politicians from all parties understood the latent danger in clinging to the demand of return. West German foreign minister Heinrich von Brentano acknowledged in private conversations that the eastern territories were "forever lost to Germany." Chancellor Konrad Adenauer said that the territories would never return to German hands, but he did not say so

publicly because he wanted for political reasons to be seen as supporting the refugees.[42]

For Adenauer, a more important consideration was to integrate Germany into the West, as well as to strengthen relations with the United States, Britain, and France, which was why he treated the question of the eastern territories and the return of the refugees as peripheral. In order to prevent the deterioration of the refugees' socioeconomic position, the West German government promoted a series of steps designed to achieve their refugees' full integration in West Germany. They received full citizenship in 1949, and in order to address the economic problem, the government pursued wealth redistribution, with richer citizens compelled to contribute for the benefit of the refugees—all to take the sting out of the unmet demand of return, whose devastating potential for Germany was clear to all.

The West German intellectual elite were partners to the government's efforts to lower expectations and persuade the public that refugee integration was the best option, noting that return would cause other injustices, for example, to the Poles. A Protestant pastor explained to refugees as early as 1947, "As justified and understandable as this wish [for return] may be … we mustn't give in to false, exaggerated hopes, we don't want to lose ourselves in reveries and castles in the air." Commentators explained that "whoever preaches of an imminent Heimkehr to the expelled eastern Germans conjures up not just new dangers but also new injustice; he overlooks every reality and possibility." Others warned that the demand for return would lead to Germany's destruction in a nuclear war and attacked the representatives of the refugees for inculcating in the masses a sense of "perpetual injustice."[43]

By the early 1960s, the voices of the Germans demanding a return had all but completely disappeared. The refugees were assimilated into society and their political power waned. The party that had represented them was forced to merge with another. By the end of the 1960s, only a few thousand people continued to take part in the yearly processions in West German cities demanding the restoration to Germany of the territories it had lost.[44]

This process of naturalization, economic rehabilitation, and especially the societal maturation of the West German society finally paved the way

for a German leader to officially declare that the eastern territories were lost forever. Two and a half decades after the end of the war, in 1970, the Social Democratic chancellor, Willy Brandt, announced that the border with Poland drawn up by the allies along the Oder–Neisse rivers was the final eastern border of Germany. The problem of the WWII expellees was considered moot, and whoever continued to raise the issue was considered a warmongering extremist. This peaceful solution was endorsed in the unification of Germany in 1990, when the Allied occupation of Germany officially ended.[45]

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Meanwhile, Musa Alami's project was beginning to take off. A British diplomat who visited the farm in 1953 described the barren route that led from Amman over the Allenby Bridge (which connects the West Bank with Jordan) toward Jericho. And then, in the depths of the wilderness, fences appeared on both sides of the road, marking the location of the farm. Here one could find banana plantations and citrus groves, vegetable plots, and rows upon rows of casuarina trees, which provided protection from the scorching sun. Pipes brought water to the different plots. In the center of the farm stood simple brick buildings with cane roofs. In one of them sat Alami at a desk with a telephone and piles of paper, as children in shorts and vests ran around the site.

Alami's experimental farm employed thousands of people at its peak—almost all refugees living in the local area. The scope of its activity was impressive: 10,000 banana trees; 16,000 vines; 400 dunams of cotton; 400 dunams of potatoes, onions, eggplants, and spinach; fields of wheat and barley; and 12,000 cypress, eucalyptus, and casuarina trees. Thanks to his contacts, Alami had made connections with petroleum giant Aramco, signing a multiyear agreement to supply fresh fruit and vegetables for thousands of the company's workers in Saudi Arabia by means of a special airplane that awaited the produce in Amman. Alami had also begun rearing chicks, soon having no fewer than 80,000.

He founded a clinic and a school on the farm, which even had a swimming pool. They mainly served the hundreds of orphans who had lost

their parents in the 1948 war, whom Alami had taken under his wing. Fifty wells were dug at the farm and large reservoirs were installed to store the water. A few dozen families of refugees from Jericho lived on the farm permanently, joined during the day by additional workers from outside.[46]

Alami's experimental farm was the biggest rehabilitation project of the 1950s for Palestinian refugees. It effectively amounted to the practical realization of UNRWA's vision, but the UN agency was not involved in its establishment. The farm incorporated the construction of permanent housing, agricultural livelihoods, and the integration of refugee communities into the local economy: everything the UN General Assembly had instructed UNRWA to do.

UNRWA's mandate, as noted, was to implement the employment program that the Economic Survey Mission had recommended, and to assist regional governments in preparing for the eventual discontinuation of aid. In early 1950, the agency set up its headquarters in Beirut, where it dealt both with delivering aid to the refugees and trying to rehabilitate them. It began employing refugees in different projects—paving roads, forestry, irrigation, and urban improvement—as well as employing skilled refugee workers: carpenters built furniture for the agency's offices, metalworkers prepared cooking utensils, and tailors sewed clothes for distribution to residents of the camps.[47]

But all of this was just a drop in the ocean. By the end of 1950, as the conditional expiration date of UNRWA's mandate drew near, UNRWA was employing only 12,500 people out of nearly one million refugees. The agency's chiefs argued for the temporary work schemes to be made more substantial, incorporating large-scale infrastructure projects that would facilitate long-term rehabilitation. In December 1950, one year after UNRWA's creation, the UN General Assembly opted to extend the agency's mandate and create a "reintegration fund," which was expressly earmarked "for the permanent re-establishment of the refugees and their removal from relief." This is another key point to note in the international community's shift in policy from return to rehabilitation. "The care of refugees and endeavors to place them in self-supporting employment has been and continues to be our only aim," declared UN secretary-general Lie regarding

the Palestinian refugees; he made no further mention of the option of return to Israel.[48]

The agency's sources of finance and the identities of its directors were further evidence of UNRWA's American orientation and continued inclination to rehabilitate the refugees: the United States funded some two-thirds of UNRWA's activities in the 1950s, and its three directors between 1951 and 1960 were all Americans with a background in regional development—two had previously participated in the Marshall Plan, and the third was a former US under secretary of agriculture.[49]

UNRWA's directors needed only one more year to put together a detailed scheme of rehabilitation projects, and the UN General Assembly approved their three-year plan at the end of 1951 at a cost of $200 million. The intention was to inject substantial capital into projects to develop water sources, which would not only provide sustained employment for tens of thousands of refugees but also facilitate the development of modern agriculture based on hydraulic power stations and advanced irrigation systems. The solution to the refugee problem, in this conception, was supposed to come as part of a combination of rehabilitation and regional development.[50]

The plans focused on two major projects. First, UNRWA planned to settle some fifty thousand refugees in the Sinai Peninsula, on the eastern bank of the Suez Canal. There was already agriculture on the western side, thanks to a web of nineteenth-century waterways connecting the area to the Nile. Now UNRWA sought to employ the refugees to install pipelines under the Suez Canal, connecting the existing waterways to the eastern bank of the canal in order to facilitate settlement and growth there, too. Construction was meant to take three years, with the new residents considered fully rehabilitated within six years at the latest.

The second project, to resettle some 200,000 refugees, was intended to take place in Jordan, harnessing water from the Yarmouk River and land in the Jordan Valley. The US government pledged to finance two-thirds of the $130 million project to redirect water from the Yarmouk toward the Jordan Valley, and to top that off with another $40 million for the resettlement of

the refugees. The planned area was almost 50 percent larger than the Gaza Strip.[51]

But none of these big plans came to fruition. In 1952, UNRWA reported to the United Nations that the rehabilitation plans were proceeding at a slow pace. A year later, the British Foreign Office found that progress on the resettlement plans had been "very disappointing," citing poor cooperation by the Arabs as the main reason for the failure. From 1951 to 1955, UNRWA made use of $7 million out of the $200 million earmarked by the international community for refugee rehabilitation—a mere 3.5 percent. This sum had helped to remove ten thousand refugees from the list of aid recipients, while the dependent population had risen by twenty-five thousand people a year.[52]



On the declaratory level, the Arab League welcomed a series of UN resolutions that supported UNRWA's work while deliberately pursuing a policy of foot-dragging and noncooperation with UNRWA's proposed projects, prompting the ultimate collapse of the rehabilitation plans. Lebanon, for instance, vigorously opposed any project to rehabilitate refugees because its Christian leaders feared that this would upset the country's delicate sectarian balance: roughly half of Lebanon's population was Christian, and the resettlement of more than 100,000 Sunni Muslim Palestinian refugees would have undermined the sociopolitical status quo and eaten away at the Christians' power. Indeed, UNRWA's yearly reports in the 1950s noted that there were no rehabilitation projects there because Beirut "has not seen its way clear to authorize" them.[53]

Syria initially signaled its willingness to settle refugees on its territory in exchange for generous economic and military assistance from the West. It could have done so with relative ease: it had an abundance of water and unutilized land, and the refugees' resettlement with Western aid could have strengthened the economy. Damascus and UNRWA even held negotiations in this spirit in 1952, but the Syrians ultimately killed them off. The British ambassador in Syria said it was doubtful whether any Syrian government

daring to openly endorse resettlement, without the Arab League, would survive the angry backlash that such a policy would provoke.[54]

Egypt held talks with UNRWA about settling refugees east of the Suez Canal, but it canceled the project in the end. This, too, was an expression of disinterest in the fate of the refugees: Egypt could have afforded such a policy because the 200,000 refugees under its responsibility lived in the Gaza Strip, beyond its own sovereign borders. The Egyptian government thus pursued a policy of procrastination in discussions with UNRWA until it finally abandoned the project altogether in 1955.[55]

The most interesting case was Jordan. True to its historical stance, the Hashemite royal court agreed to rehabilitate the refugees within the kingdom; the Jordanian government was the first Arab government to sign a deal with UNRWA on project implementation. But the palace was quite alone in its position and found itself confronted by ministers, Parliament, and the general public, all of whom demanded that Jordan not accept the position of the international community on finding a permanent solution for the Palestinian refugees inside the kingdom. To get out of this mess, the Jordanian government declared that it supported the principle of return but nevertheless sought to improve the refugees' conditions until such a day. And yet, public and political opposition to the rehabilitation plans scuppered their implementation in Jordan, too.[56]

In a speech at the United Nations in 1957, then Israeli foreign minister Golda Meir quoted a report of the Research Group for European Migration Problems, according to which the Arab states had prevented any form of integration or acclimatization by the refugees because they saw them "as a political means of pressure to get Israel wiped off the map or to get the greatest possible number of concessions."[57]



Arab public opinion saw rehabilitation of the refugees as nothing less than treason. Arab statesmen, assessed the US ambassador in Cairo in 1951, "do not dare to admit such a possibility and the very word 'resettlement' would be ruinous to their careers." Arab League secretary-general Azzam Pasha

rebuffed the West’s requests to convince the refugees to resettle, saying, “The League would be regarded as sold to the Jews and blown sky-high.”[58]

Above all stood the opposition of the refugees themselves to rehabilitation. UNRWA’s director noted as early as the agency’s first annual report in 1951 that the refugees were hostile to the rehabilitation schemes because of their unwavering belief that regular employment in Arab countries would mean relinquishing their demand to return to Israel. “The desire to go back to their homes,” the report found, “is general among all classes; it is proclaimed orally at all meetings and organized demonstrations, and, in writing, in all letters addressed to the Agency and all complaints handed in to the area officers. Many refugees are ceasing to believe in a possible return, yet this does not prevent them from insisting on it, since they feel that to agree to consider any other solution would be to show their weakness and to relinquish their fundamental right.”[59]

The report noted that the refugees were probably in a better situation than those in the poorer sections of Arab society, and that the services they received were often better than what they had enjoyed before the 1948 war.[60] This reality contradicts the common worldview that informed and still informs the Western powers—that the problem was the Palestinians’ living conditions. On the contrary: it was the refugees’ sense of injustice and affront to their honor, observed the report, that led them to reject cooperation with the agency and even engage in physical assaults on its staff.[61]

This was, and remains today, the heart of the matter—the inability to reconcile with the past and the political process that had led to the establishment of the state of Israel. UNRWA’s attempts to improve the living conditions of the refugees were met with resistance: permanent housing in the camps, intended to replace the tents exposed to the rain and cold, was destroyed; schools, intended to provide an education for the children, were subjected to repeated student strikes.[62] And all of this was done so as to avoid creating even the mere impression of rehabilitation or a return to normal life.

All this was compounded by the refugees’ hatred for the United Nations in general and the West in particular, which the Palestinians saw as directly

responsible for their catastrophe and the establishment of the state of Israel. They regarded UNRWA with great suspicion, because they believed it should have been overseeing their return to Israel, in line with their interpretation of Resolution 194. They did not see UNRWA's aid efforts as an act of charity by the West but as its obligation. "Individual efforts to explain the situation to them are usually in vain," UNRWA's first report noted. "The refugee will listen politely, but in the end, remains convinced both of the bitter injustice done to him, and the fact that little or nothing is being done to rectify it."[63]

In 1952, a former International Refugee Organization officer conducted a field study in the refugee camps to examine why rehabilitation attempts were failing. He found that the Palestinians saw rehabilitation as effectively acknowledging defeat. Their sense of injustice was rooted in their belief that they had been deprived of something that was theirs and theirs alone. As they saw it, giving up on a return to Israel was tantamount to recognizing defeat, which they were not prepared to do.

When the Palestinians who participated in the study were asked about Israel, it emerged that none appeared "able to accept the status quo with anything better than a profound feeling of bitterness, hatred, and unrest." Their perception of the West was also highly negative: nearly three-quarters of respondents said that Britain and the United States were responsible for the refugees' fate and that the West was obligated to care for them.[64]

UNRWA quickly became the target of verbal and physical attacks by Arab refugees. From their point of view, UNRWA was failing at its primary task—to return the refugees to their homes. A few days after the agency was founded in early 1950, the head of UNRWA's branch in the city of Nablus was attacked by refugees, his car stoned, and his driver beaten. A few months later, bombs were thrown at the UNRWA headquarters in Damascus. UNRWA's offices in Sidon were the site of persistent attacks by refugees for years; in June 1951, its windows were smashed with stones and explosive devices were hurled inside. Such attacks by refugees on UNRWA facilities and staff were commonplace.[65]

In reality, the attitude of the refugees themselves was the primary reason for the collapse of UNRWA's efforts. For the Palestinians, all international

community efforts rested on the assumption that the refugees were not going to live in Israel. Western diplomats occasionally complained that the Palestinians were acting irrationally in their failure to grasp that the overwhelming majority would never return to Israel and that it was time to rebuild their lives in their host countries. But the Palestinians' position was actually highly coherent. Their supreme concern—above any humanitarian considerations—was not to recognize the state of Israel. They subordinated their own living conditions to the wider struggle against the state of Israel. They saw the living conditions of hundreds of thousands, and later millions, of their people as less important than this political objective. Since this was so, it was only natural to refuse rehabilitation or a return to normalcy if this meant ending the war with Israel. "The Arab states will not integrate the Palestine refugees," said Ahmad Shukeiri, the first chairman of the Palestine Liberation Organization (PLO), "because the integration would be a slow process of liquidation of the Palestine problem."[66]

So was sealed the fate of Alami's flagship project. From the very first moment, Alami was accused of treason and collaboration with the Zionists and Western imperialism. His rehabilitation project was seen as a blow to Arab efforts to guarantee the return of the refugees to Israeli territory. His aristocratic pedigree and record of clear anti-Zionist activism were of no help. No matter how often Alami stressed that his activity was purely humanitarian, and that he was not giving up on the demand for return, his very act of enabling some refugees to move from a refugee camp and a life of welfare to permanent housing and a life of economic self-sufficiency was seen as unforgivable perfidy.

Rumors about Alami's project and attempts to harm it began at the dawn of the 1950s. Many of the residents of the adjacent camps refused to cooperate with him, fearing this was a plot to prevent them from returning to Israel. Matters reached a head in December 1955, when thousands of Palestinian refugees from the camps around Jericho attacked the farm and leveled it. The clan chiefs in the camps fomented the masses against the "gang of traitors" headed by arch-traitor Musa Alami, calling on anyone who could to take up arms and head for the farm. One group of refugees advanced on Alami's home to kill him. Searching for him, the rioters

pushed over a woman who was in labor. Alami himself was in Beirut at the time, so was saved. The rioters tore up his office and broke into his safes in an attempt to find, among piles of documents, evidence of his collaboration with Israel.

One column of refugees advanced on the dormitories of the orphans, the oldest of whom were thirteen years old. They stripped the children, beat them, spoiled their bedclothes, and burned everything in their path. One orphan, with a leg in a cast, was thrown off his bed, breaking his other leg. The children returned fire by throwing stones and managed to save a teacher, who had lost consciousness from the blows he had sustained in the attack.

At one point, a group of rioters burst into an area housing several Palestinian women, intending to rape them. At that very moment, Jordanian policemen arrived on site and stopped them, chasing them away. But it was too late to save Alami's life's work. When the attack ended, his farm was a smoldering ruin: the rioters had burned the whole place to the ground, looting anything they could. The residential quarters were left covered in soot and without roofs. A long convoy of refugees returned to Jericho holding thousands of chickens, geese, pots, and broken furniture.[67]

Alami was informed of the attack that same evening. He felt profoundly insulted and shocked by this display of violence and hatred. It was a resounding slap in the face for one who had devoted his life to helping his own people. And it was the clearest and most brutal evidence to date of the Arab attitude that any attempt at rehabilitation and integration into the economy and normal life was grave treachery. Faced with a choice between humiliation from a life of poverty and adversity in the refugee camps and the perceived humiliation of accepting Israel as a fait accompli, the refugees chose to remain in the camps.

The lesson from the attack was that if the refugees were capable of harming their own kind, then UNRWA had no chance of rehabilitating them. If even a leading nationalist like Alami could not help the refugees, the whole rehabilitation project was clearly doomed to failure. The refugees were fully conscious in the choice they made: no to the state of Israel, even at the cost of staying in the camps forever.[68]



By November 1958 persistent rumors had begun spreading in New York that the United States was seeking to shut down UNRWA, given that it had failed to advance any of the goals it had set for it. The Saudi ambassador in the United States invited himself to the State Department in Washington, DC, to make an offer that could not be refused. After meeting all the Arab ambassadors posted in the United States, Saudi ambassador Abdullah al-Khayyal, a man with a piercing gaze and thick, black horn-rimmed glasses, asked to meet with US under secretary of state Christian Herter in Washington to convey a clear message.

Khayyal began the meeting saying that he was there representing all Arab ambassadors, in order to underline the price to be paid if the United States were to refuse his demand. He said he was convinced that the United States was interested in a close relationship with the Arab world. Washington, he said, must avoid a repetition of past mistakes. The abolition of UNRWA, he added, “would have bad echoes in Arab countries.”[69] Khayyal continued to say that the Arabs expected that no changes be made to UNRWA, and that they wanted the agency to continue to operate until a “solution” would be found.

Herter, a Massachusetts Republican known for his elegant attire and bow tie, inquired what exactly were “the past mistakes” that the United States had made. Supporting the UN partition plan, answered Khayyal. Herter said that the likelihood of the US government to continue financing the UNRWA would be enhanced if the Arabs showed some willingness to discuss a longer-range solution. Herter also said that the US would be happy if the Arabs appointed a representative to sit down and discuss this longer-range solution with them and that the US would also be willing to sit down and talk with the Israelis. Khayyal replied that “the Arabs were not prepared to sit down with the Israelis,” noting that Washington should apply pressure on Israel to implement UN resolutions “rather than urge the Arabs to talk with the Israelis.”[70]

The Americans had indeed concluded that it was time to close UNRWA. After nearly a decade of massive US funding, which had not contributed

one jot to solving the refugee problem, ever more voices could be heard in the hallways of power in Washington arguing that the agency's mandate should not be renewed. The Americans' frustration with UNRWA's work was particularly conspicuous given the impressive successes of US rehabilitation efforts in Korea and Europe, which had borne fruit in a matter of years. The only difference in the case of the Middle East, leading to the complete failure of rehabilitation efforts there, was the lack of cooperation by the Arab states and the Palestinians.

As early as 1952, the US chargé d'affaires in Jordan shared his impressions of UNRWA's work with the US State Department in a detailed telegram. "For some time, I have been disturbed over the failure of UNRWA to accomplish anything substantial in Jordan in the form of refugee resettlement," began David Fritzlan's cable. The Jordanian government was refusing to cooperate, he wrote, with the result that vast sums of money were being invested month after month just to sustain the refugees, with no parallel effort to make them independent and remove them from the list of aid recipients. The Arab states, noted Fritzlan, needed to explain to the refugees that, despite their promises and various UN resolutions, it was unlikely that many of them would ever return to their former homes. But the Arabs were doing none of this, said the US chargé. Despite pretenses of support for the refugee rehabilitation efforts, the basic policy of the Arab League was to frustrate them. "The purpose of this policy," concluded Fritzlan, "[is] simply to keep the Palestine problem alive in the hope of bringing about the downfall of Israel."[71]

The US chargé cited meetings with his British counterpart and a similar understanding taking shape in the Foreign Office in London. He noted that the British, for their part, were considering warning the Arab states that without a change in their behavior, the West would end its support for UNRWA as early as the upcoming General Assembly debate in late 1952 and transfer the responsibility for dealing with the refugee problem to them. The British hoped that such a threat would cause the Arab states to summon the courage and agree to start cooperating.[72]

But Fritzlan was well aware of the political limitations that the United States and Britain faced and the difficulty they would have in getting a

United Nations General Assembly resolution passed. He was of the opinion that the Arab states would not cooperate despite this threat. Even worse, the West could not follow through on its threat, because this would provoke anger not only across the whole Arab world but in Asia and Latin America, too. "It is perhaps questionable," he wrote, "whether we would wish to go so far on this issue and perhaps alienate these countries on what we may consider larger and more important issues."[73]

When Fritzlan mentioned "larger and more important issues" he was, of course, referring to the geostrategic interests of the United States in the Cold War. In 1952, the year in which Fritzlan composed his document, Dwight D. Eisenhower was elected to the presidency of the United States; upon entering office at the start of 1953, he appointed John Foster Dulles as secretary of state. The two set the obstruction of communism around the world as their supreme foreign policy priority.

Whereas the Truman administration had focused on Europe and Asia, the Eisenhower administration saw the Middle East as the main sphere of confrontation with the Soviet Union. "There is no more strategically important area in the world," said Eisenhower. The region's geographic location and the importance of petroleum led leaders in Washington to believe that the prosperity and growth of the whole Western world depended on the Middle East, which was why they invested tremendous energies in acquiring new friends in that region and preventing any of them from falling into Soviet hands.[74]

The new friends the Eisenhower administration sought, however, were not Israel but the Arab states. On his first visit to the Middle East in 1953, Dulles said in Beirut that his country would "seek policies which would be fairer and more just than those of the past" and that it was prepared to consider measures "to prevent aggression by Israel." In Cairo, Dulles promised President Gamal Abdel Nasser that Eisenhower's Republican administration was not politically beholden to the Jews like Truman's Democratic administration. Dulles saw the previous White House as too pro-Zionist, having elicited anger in the Arab world that the Soviets were now exploiting. That same year, the US administration suspended its economic assistance to Israel.[75]

Eisenhower and Dulles's pro-Arab orientation was rooted in their perception that the only way to confront Soviet influence in the Middle East was to shift decisively away from Israel. This effort to court the Arabs defined the decade's foreign policy, perhaps reaching its peak during the 1956 Sinai War. In order to get Israel to consent to a ceasefire and later force it to withdraw from the Sinai Peninsula, the Eisenhower administration threatened Israel with severe sanctions and expulsion from the United Nations, no less. Washington even threatened to block private donations to Israel, such as from American Jews. At the same time, the United States tried to seduce Nasser away from Soviet influence with large weapons contracts; Israel's requests for advanced weapons systems during the 1950s were rejected on the spot.

This was the Eisenhower Doctrine for the Middle East. Eisenhower's secretary of state later explained the thinking behind this policy. Any inclination toward Israel, explained Dulles, would "surely jeopardize the entire Western influence in the Middle East." "The nations of that region," he said, "would conclude that United States policy toward the area was, in the last analysis, controlled by Jewish influence in the United States. In such an event the only hope of the Arab countries would be found in a firm association with the Soviet Union."[76]

This effort did not succeed. The architects of US foreign policy believed that Israel was the main obstacle to positive relations with the Arab world, which they hoped would block Soviet expansion in the region, but, by the end of the decade, the Americans could credit themselves with few achievements. The anti-Western drift in the Middle East accelerated, Nasser was still receiving large weapons shipments from the Soviet Union, and Washington had failed to procure any new friendships in the region.[77]



As for the Palestinian refugee problem, there were some who believed that Fritzlan was right—and that UNRWA had indeed been turned into a political instrument for the perpetuation of the problem. These people were none other than the agency's own chiefs, who had repeatedly warned

throughout the 1950s that UNRWA had reached deadlock, its activity and even its existence needing reevaluation.

As early as their 1953 report, UNRWA chiefs suggested scaling back the agency's work and transferring operational responsibility for the refugees to the Arab states.[78] One year later, sensing that the agency had lost its way, its director asked the UN General Assembly to reclarify UNRWA's objectives, and, in 1956, the agency's director asked the General Assembly in his annual review, given UNRWA's present crisis and the lack of cooperation from Arab states, to reexamine his agency's terms of reference.[79] He even warned, in light of the difficulties placed by the Arab states, that "in the event that local conditions in any area unduly hamper the carrying out of those responsibilities, it may be necessary for the Agency to suspend or terminate its operations in such an area."[80]

In the autumn of 1958, disappointment with UNRWA reached its peak, and the Americans sought to take dramatic measures. A report submitted to Congress by a Special Study Commission to the Near East and Africa, dispatched by the House Committee on Foreign Affairs, leveled scathing criticism at the Arab states. "If local governments are unwilling to tackle the problem except on their own terms," it said, "there is little incentive for outside governments to continue financial support [to UNRWA]. [The] original humanitarian impulse which led to the creation and perpetuation of UNRWA is gradually being perverted into a political weapon."[81]

Addressing the United Nations, member of the US delegation to the UN George McGregor Harrison declared that UNRWA's continued existence was "not … the proper way to handle the refugee problem." Despite the agency's best efforts, Harrison said, the number of refugees had only grown over the intervening decade, and they had not been integrated at all into their surroundings. The donor countries, he noted, were no longer prepared to bear the burden of the aid that they were being asked to pay in perpetuity. Clearly something had to be done, concluded the ambassador, that would greatly accelerate the rate at which refugees were made self-supporting. "It is not good enough," he declared, "consciously to perpetuate for over a decade the dependent status of nearly a million refugees."[82]

The US State Department had intended to rehabilitate the vast majority of refugees and settle them wherever they found shelter, but this time the United States meant to do so directly. Washington intended to transfer funds directly to the Arab states or existing international organizations, such as the World Health Organization or UNICEF. Under this plan, UNRWA would have ceased to exist upon the termination of its mandate in 1960 and a comprehensive solution to the Palestinian refugee problem should have been achieved by 1970.

While the plan envisioned that each refugee would be offered repatriation into the state of Israel, the assumption was that out of one million refugees, no more than 100,000 would actually return to Israel, with the remainder staying in place and being rehabilitated in the host Arab countries.[83] This was the first instance of many Western plans to follow that completely ignored repeated UNRWA warnings and other reports about the insistence of the Palestinian refugees that "justice" required their return to the state of Israel. In the 1958 plan, the Americans made the naive and misplaced assumption that the Palestinian refugees did not really want or expect return, and would somehow willingly accept permanent settlement elsewhere. Refusing to take the refugees at their own word, US diplomats then and now demonstrated an inability to realize that precisely the same Palestinian refugee attitude that frustrated UNRWA's efforts was the one that would ensure the alternative American plan would fail as well.

Another proposal considered in Washington was to close UNRWA and establish a new UN agency in its place, limited to financing and monitoring. The administration of Arab refugee programs would be transferred to Arab states, with an approach to be made also to Israel "urging it to indicate it is prepared to take public steps substantially beyond what it has thus far done indicating its concern and responsibility for the future welfare of refugees and ultimate solution [to the] problem." In this context, the plan was that Arab states submit annual budgetary requests to the new agency in accordance with the projects they intended to initiate; the agency would be required to present detailed progress reports. Washington's intention was clear: to create momentum toward a solution, transferring responsibility to the Arab states. The US position, wrote Herter, was "justified by [the]

absence of progress towards [a] solution during [the] past decade." "[The] continuation [of] UNRWA in [its] present form," he wrote, "no longer represented [the] proper way to handle [the] Arab refugee problem."[84]

The United States thereby signaled that it was willing to continue investing money in refugee rehabilitation and was not intending to drop its support for them. But at the same time, Washington made clear that it saw UNRWA as an ineffective agency that was doing nothing but perpetuating and indefinitely prolonging the refugee problem. In this context, Washington had no rational reason to continue propping up the organization.

* * *

Harrison's speech at the United Nations and the plans to close UNRWA provoked a harsh reaction from the Arabs. UNRWA's director reported that Arab diplomats "had been shocked" by Washington's position and viewed the agency's closure as the United Nations' abandonment of its responsibility for the refugee problem. They also believed that this policy would force their countries to accept the refugees, which they saw as a serious blow to their standing.[85]

Senior State Department officials nonetheless stuck to their belief that shock treatment was necessary to signal that US support was not safely in anyone's pocket. Meanwhile, it transpired that then UN secretary-general Dag Hammarskjöld was also uneasy with UNRWA's existence in its then-current form. In a letter to the US State Department, Hammarskjöld acknowledged that he wanted to see far-reaching changes made to UNRWA, but regretted that proposals for such changes would "raise all Arabs up in arms." Reforms would achieve nothing, he wrote, apart from introducing a "charge of dynamite into the whole Middle Eastern situation."[86]

The longer the Arab states continued arm-twisting the international community, the more the West's (particularly Britain and the United States) political limitations became apparent, just as the US chargé in Jordan had predicted seven years earlier. While the US administration saw no point in UNRWA's existence as it was, its closure was no trivial matter because it

raised the danger of a tangible deterioration in Washington's relations with the Arab world. In light of the Eisenhower Doctrine, a more practical approach to UNRWA was trumped by what were perceived as broader strategic considerations.[87]

The United States ultimately gave in to the Arabs' demand and left UNRWA in place. In December 1959, exactly one decade after UNRWA's establishment, the UN General Assembly voted to extend its operations by another three years. Despite its earlier opposition, the United States voted with the resolution's proponents, and after concerted pressure from Arab states, the Americans agreed to drop their demand for any far-reaching changes. Moreover, the agency's official agenda was changed: there was no further emphasis or insistence on integrating the refugees into the regional economy through rehabilitation projects.[88] The die was cast: after a decade of attempts at rehabilitation and discussions to that end, UNRWA stopped trying to execute the task for which it was founded. The West was compelled to continue propping up UNRWA, not because it believed in its ability to achieve any clear goal, but because of Arab political pressure.

Facing fierce opposition to rehabilitation from Arab states and the refugees themselves, and in light of their failure to cooperate with the rehabilitation schemes, UNRWA's leadership decided that the agency would henceforth focus its energies on vocational training for the refugees, in the hope that this would promote stability and economic progress.[89] This vocational training quickly expanded and UNRWA began educating the refugees' children, channeling resources to building schools and hiring teachers. The Americans were hoping that education would lead to the refugees' future integration in places of work and ultimately reduce the number of aid recipients, but they did not say so to the Arabs. The Arab states, for their part, welcomed the extension of support for the refugees, with no intention of ever permitting their rehabilitation.



The December 1959 resolution to extend UNRWA's mandate and terminate efforts for refugee rehabilitation in Arab countries through large-scale development projects effectively marked the end of the decade-long battle

between UNRWA's two main godparents over the agency's character. The Arabs had succeeded in frustrating American intentions. The United States, which had financed and led the effort to rehabilitate the refugees, was compelled to lay down its arms in order to not hurt its interests with the Arab world. It understood that it would be forced to accept the agency's continued existence, despite its lack of output, because there was nothing it could do. For the Arabs, who had made every effort to frustrate the Americans' intentions, it was effectively mission accomplished.

This was the decisive turning point in the history of UNRWA. From then on, its survival was a political marriage of convenience between the United States and the Arab states. UNRWA was left an empty shell. It fulfilled the political desires of neither side, but it was better for all (bar Israel) that UNRWA continue existing. As far as the Arabs were concerned, this was a great victory: even if UNRWA could not force Israel to accept refugees, it could still prolong the refugee problem for many decades. The refugees saw UNRWA as more than an organization that aided them: it was the international community's seal of approval for their aspirations to return.

The Americans wanted to dismantle the agency but were not prepared to pay the price of a rift in their relations with the Arab world. In the end, an annual contribution to UNRWA was the relatively low price that Washington agreed to pay the Arab world to preserve their functioning relationship.

In the debates over the extension of UNRWA's mandate at the time, it was never argued that the refugees' well-being required the agency's continued existence. Neither was it argued that their special situation or the historical circumstances in which they became refugees were what necessitated their own dedicated permanent agency. These debates, like the resolution that was ultimately passed, were political. In reality, everyone saw UNRWA as a political tool: the West, for buying the silence of the Arab world; the Arabs, for perpetuating the conflict with Israel; and the refugees, as a certificate guaranteeing their eventual return.

UNRWA's contemporary character was determined in the same American decision from December 1959, which, until 2018, was the last

time that any US administration tried to subject UNRWA to meaningful revisions. The extension of the agency's mandate has become a quasi-automatic annual tradition ever since; no serious possibility of rehabilitating the refugees in their host countries has ever returned to the agenda. UNRWA became a permanent and essential fixture in the life of the Middle East, as certain a presence as the sun in the morning sky.

Israel could only observe these developments from afar. Washington started seeing UNRWA as a bone in its throat, which it could neither swallow nor spit out, and its existence as ruining all attempts at solving the refugee problem. At the same time, they tried to console themselves with the thought that even though UNRWA was not providing any real benefits, it was not causing much active damage, either. After all, it was a UN agency.

That assessment would soon be proved dead wrong.

4: WIELDING TERROR
(1960–1987)

The gun and the Return are one for us.

from John le Carré's *The Little Drummer Girl*

NUMBER OF REGISTERED REFUGEES (1960): 1,120,889[1]

Jamal al-Gashey was a typical son of the Palestinian refugee camps. He was born in 1953 in the Shatila Camp in Lebanon, where his family had arrived after fleeing from Galilee during the 1948 war. Like the rest of his generation, he had grown up hearing stories of a "lost paradise" from which his family had been banished. He used to spend his evenings listening to his parents' and grandparents' stories about the Jews, who had stolen their land, and about the treason of Arab leaders. Gashey grew up surrounded by children and teenagers who, like him, were effectively sentenced to a life in the refugee camps by their parents and Palestinian leaders after the war, with no chance of normality or hope. Together with others his age, Gashey was raised to dream only of erasing his nation's disgrace and reclaiming that "lost Palestine."

Immediately after the Six-Day War, the PLO opened an enlistment bureau in the camp. Gashey, then fourteen years old, signed up at once. He later recounted that when he received his handgun, he felt inspired for the first time. "I felt proud and felt that my existence and my life had a meaning," he recalled.[2] The camp was filled with children of refugees just

like him, who twenty years after the war still claimed that they came from Acre, Haifa, or Tiberias, even though they were born in Lebanon. In school, they sang songs about returning to Palestine; throughout the camp, they saw graffiti on the walls of houses, with bombastic and heroic descriptions of the day when they would return home to embrace their olive trees and kiss their soil.[3] For all of them, this coveted return, always described in violent terms, became a kind of obsession, without which there was no meaning to life.[4]

In the same period, the late 1960s, the Palestinians of the refugee camps developed a collective consciousness in which they saw themselves as a persecuted ethnic group having suffered the greatest calamity in the history of mankind. Edward Said described this mood well later, writing, "The Palestinians have endured decades of dispossession and raw agonies rarely visited on other peoples."[5] In the refugee camps, like the one in which Gashey grew up, people spoke in terms of a Palestinian experience rooted in their being an indigenous nation of *fellahin* (farmers) unjustly expelled from their land in a brutal Zionist conspiracy. In such an atmosphere of suffering and victimization, absolute justice clearly lay on one side alone.[6]

A few years later, Gashey was invited to a training camp run by Black September, the underground terrorist outfit founded by the Fatah movement in the early 1970s. The group initially directed its activities against the Jordanian government, in revenge for the expulsion of the PLO from Jordan, but it soon progressed to Israeli targets. Gashey, like dozens of other terrorists invited to the camp, was not informed of his assignment till the very last moment. In the summer of 1972, on the eve of a planned attack, he received his target: the accommodations of the Israeli athletes in the Olympic Village in Munich.[7]

Gashey was one of the eight Palestinian terrorists who snuck into the Olympic Village on the morning of September 5, 1972. At first light, the terrorists seized control of the Israeli team's accommodations, holding the athletes hostage for nineteen hours. During the hostage crisis, the terrorists shot and killed the team coach, Moshe Weinberg, and then threw his naked and blood-soaked body out of the building. Israeli wrestler Yossef Romano tried to attack the terrorists, who shot and gravely injured him. They later

tortured him in front of his friends, cut off his genitals, and left him to bleed to death. A further nine Israelis were murdered by the terrorists, shot during the failed rescue attempt by Bavarian police. The bungled mission was broadcast on television for the entire world to watch. Only one generation after the Holocaust, on German soil, innocent Jews were mutilated and massacred, during an international event that was to signify humanity's ability to come together for the pursuit of common values. The global shock was palpable.[8]

Gashey was injured in the rescue attempt but survived. He was imprisoned by the Germans but released two and a half months later with two other hostage-takers and promptly disappeared. Israel then launched Operation Wrath of God, sending Mossad agents to assassinate the leaders of Black September. Gashey only emerged from hiding in 1999 to be interviewed for the documentary *One Day in September*. At his request, his face was blurred, and his voice distorted.

Six of the eight terrorists in the Munich Massacre were sons of the refugee camps like Gashey. Some lived next door to each other in the Shatila Camp and played football together. "We were all alike, children of the refugee camps," Gashey recalled, "with a shared cause and a shared aim."[9] Abu Iyad, Arafat's deputy in Fatah and the commander of Black September, recalled how the young men behind the massacre were deliberately chosen from the refugee camps in Lebanon, Syria, and Jordan. They were his most faithful soldiers: "[They] all burned with impatience to be among the lucky ones chosen," he recounted.[10]

The hatred of Israel and the anger toward it turned such terror attacks, in which innocent civilians were brutally murdered, into justified acts of heroism in the eyes of the Palestinians and the whole Arab world. The mother of one of the terrorists killed during the Munich rescue attempt said that she felt proud when informed of the outcome of the attack. Tens of thousands of people marched in the massive funeral procession behind the terrorists' bodies, which had been flown in from Germany and brought for burial in Libya. The "Voice of Palestine" radio station broadcast the wills that the terrorists had supposedly left behind, in which they called on the youth of the Arab world "to search for death so that life is given to them,

their countries, and their people." "Each drop of blood spilled from you and from us," read the text, "will be oil to kindle this nation with flames of victory and liberation."[11]

Gashey never expressed regret or remorse for the Munich Massacre, despite the sheer brutality and savagery shown toward the innocent athletes. As far as Gashey was concerned, the operation achieved its goal of putting Palestine's name on the global agenda. This willingness to sacrifice and savage the bodies of any innocent victims, and this absolute confidence in the justice of their path, was expressed in a message by Black September's commanders published in the Lebanese newspaper *Al-Sayyad* a week after the massacre, in which they claimed that the attack had been "100% successful": "A bomb in the White House, a mine in the Vatican, the death of Mao Tse-tung, an earthquake in Paris could not have echoed through the consciousness of every man in the world like the operation at Munich."[12]

The high proportion of refugee camp children among the perpetrators of the Munich Massacre was no coincidence: many of the foot soldiers who joined Palestinian terror groups in the 1960s and 1970s were too. They were born after 1948, educated in UNRWA schools, and had never set foot in Palestine. Nevertheless, their blind loyalty to the idea of a violent return to Palestine was absolute. Asked whether he was afraid on the eve of the attack in Munich, Gashey replied, "Personally, I felt pride and joy. My dream of taking part in an operation against the Israelis was coming true … Since the day we joined up we had been aware that there was a possibility of martyrdom at any time in the name of Palestine. We were not afraid … The idea of Palestine and returning there was all that controlled my thinking and my being."[13]

What gave these young people their ardent belief in a violent return to Palestine? What led them to join terror groups en masse? And what encouraged them to want to kill and be killed, to murder and mutilate the bodies of other innocent human beings, and to sacrifice their lives for a place they had never seen, land that was more an abstract idea for them than a tangible yearning?

At the end of the 1950s, as noted in the previous chapter, the international community believed and hoped that the continued existence of

the refugee camps was the least bad solution. The Americans thought that by continuing to fund UNRWA they could prevent the radicalization of the refugees and block Soviet influence. But this, in fact, was precisely what happened: under the watchful eye and supervision of the United Nations, there became entrenched in the refugee camps a distinct Palestinian national identity focused on a violent and uncompromising demand for return and the complete rejection of the state of Israel. The Palestinian refugee camps became a state within a state, a closed territory in which poisonous, hate-filled rhetoric sprouted and from which it spread.

UNRWA provided the physical and social infrastructure for the construction of this identity; in hindsight, it is difficult to overstate the importance of the refugee camp culture in the Palestinians' radicalization at the time. In the womb of an agency established to meet humanitarian needs, and in the framework of the United Nations organization, founded to protect world peace, there grew Palestinian terrorist groups that acted against every principle that the United Nations sought to affirm, who soon began blowing up airliners and murdering civilians. The decision to prolong UNRWA's existence in 1959 not only failed to freeze the refugee problem but facilitated its deterioration: UNRWA was turned into the hothouse that cultivated the seeds of disaster, which soon poisoned the whole Middle East, sowing devastation throughout.

* * *

Visitors to the Palestinian refugee camps in the early 1960s encountered a completely different reality from that which prevailed only a decade earlier. In the initial years after the war, UNRWA's emergency assistance focused on food, clothing, and basic housing, in order to prevent hunger and the outbreak of disease. A decade later, the problem facing Palestinian refugees was no longer one of hunger and disease but political estrangement. The compression of the refugees into camps without a horizon or end date, and the decision not to rehabilitate them in Arab countries, had created a class of hundreds of thousands of stateless persons who had failed to develop roots in their surrounding Arab societies.

Many of these Palestinians had never been in Palestine: the population registered still as "refugees" grew from approximately 700,000 people to more than one million. Roughly half of them were born after the war of 1948, or had left Israel as young children. They had no memories or personal experiences of Mandatory Palestine, only filtered knowledge from UNRWA schools, their parents, and Arab governments. Nevertheless, their national consciousness was stronger than their parents', because they were frequently reminded that their land had been stolen.

The appearance of the refugee camps also completely changed. Transforming from tent cities exposed to the wind and rain, the camps became neighborhoods of permanent housing on the outskirts of cities. Given the provision of universal free education and quality health care, the residents enjoyed a higher quality of life than refugees elsewhere, such as India, Pakistan, or Hong Kong, and greater than the poorer strata of Arab countries as well. The camps no longer appeared quite so temporary, and the sense of urgency that defined UNRWA's first days was gone.

The tents were exchanged for mud houses, which were replaced shortly thereafter by buildings of brick and concrete. Each family received a plot of some 100 square meters with a house whose size depended on the size of the family. The refugees paved their houses, installed windows, and built kitchens. They added rooms and often whole stories, and built high walls between the different plots. A network of roads was paved, and clinics and schools were built, often to high architectural standards.

The reality of the Palestinian refugee camps grew further and further away from the conventional image of refugee camps around the world—vast tent cities, with thousands of people waiting for a small helping of food. The roads in the Palestinian refugee camps were dusty, but the houses and their contents were better than in working-class neighborhoods around the Arab world. In almost every respect, from the 1960s onward, most of the refugee camps were neighborhoods of the Arab towns next to which they were built.[14]

During this period, in 1965, UNRWA made a decision that would have dramatic consequences into the future: the agency's commissioner-general decided to extend eligibility to the children of persons who were themselves

born after May 14, 1948—that is, to the grandchildren of the actual refugees.[15] Seventeen years later, in 1982, the United Nations General Assembly passed a resolution further extending eligibility to all descendants of the original Palestinian refugees as "Palestine refugees."[16] This decision effectively determined that all future generations, into perpetuity, would be considered "Palestine refugees." These decisions were determinant in guaranteeing that the number of refugees would keep on growing forever.[17]

In light of the failure of the rehabilitation attempts of the 1950s, UNRWA's directors needed to create a reason for its continued existence. They decided to direct their funding elsewhere, to turn the agency into a massive education ministry of sorts to educate the Palestinian youth. The share of UNRWA's general budget earmarked for education rose from 23 percent in 1960 to 66 percent in 1988, while the share of the budget devoted to aid fell from 62 percent in 1960 to 12 percent in 1984. The number of schools almost doubled in that period (from 380 to 630), and the number of teachers tripled (from 3,500 to roughly 10,500).

Thanks to this extensive internationally financed education system, the Palestinians became one of the best-educated groups in the Arab world: the literacy rate, especially among girls, was higher than in the Arab host countries. The young generation of refugee children grew more sophisticated and ideologically opinionated than their parents. They were more inclined to political activity and especially radicalism than other Arabs of the same age. While members of the previous generation possessed a concrete loyalty to their homes, fields, and clans, the younger generation was instilled with an ideological loyalty to their nation, land, and the greater collective. In many senses this was a new nation, vastly different from that of the Palestinian villages abandoned in 1948; and it was created in the refugee camps.



A secure and basic subsistence was no longer a reason for remaining in the camps. Rather, residency in the camps was based in large part on anti-Palestinian refugee discrimination by the Arab host countries. Every Arab government, except for Jordan's, actively denied the Palestinians

citizenship. This was partly motivated out of aversion toward them and partly to preserve the demand for return. On the one hand, the Arab League promised to treat the Palestinian refugees just like their own citizens, while keeping their "registered refugee" status in anticipation of their eventual return. This position was officially approved in the Casablanca Protocol of 1965.[18] On the other hand, however, the refugees experienced blatant and harsh discrimination in employment, housing, and higher education. This discrimination heightened the Palestinians' sense of estrangement and unique national identity.[19]

The country that took the toughest stance against the Palestinian refugees was Lebanon. It treated them and their descendants as "foreigners," thereby forcing them to undertake unskilled jobs in agriculture and construction. Others worked in the black market for low wages. Palestinians were not allowed to benefit from national insurance. Lebanon also tightly restricted the refugees' ability to purchase property and bequeath it to their descendants.[20]

Syria, too, denied citizenship to the Palestinian refugees. They were barred from participating in elections and acquiring agricultural land, or owning more than one home. They were forbidden from engaging in political activity or effectively any form of organization. Egypt refrained from annexing the Gaza Strip and gave the Palestinians only temporary documents, which did not grant them the right to leave or enter the country. Egyptian regulations marginalized the Palestinians and reduced them also to the status of foreigners, meaning they faced discrimination in the labor market and elsewhere.[21]

The Arab states' policy of discrimination played a key role in the construction of a distinct, political Palestinian identity. Deprived of citizenship in every Arab state except Jordan, the refugee cards issued by UNRWA became the refugees' de facto identity cards and the only official international documents confirming their origin and identity. To receive assistance from UNRWA was the equivalent to being Palestinian, and the word "refugee" became synonymous with "Palestinian."

Ironically and tragically, there was a moment that UNRWA could have claimed to have successfully rehabilitated the Palestinian refugees in their

host countries. With the exception of the special case of Lebanon, the Palestinian refugees were generally managing, thanks to UNRWA's services, to integrate economically in their surrounding societies.[22] But at the very moment when most refugees no longer needed relief or any other international aid, UNRWA had been already transformed into an organization with the primary purpose of continuing to legitimize the Palestinian claim that despite their economic integration, they were still waiting to return. In fact, it was the fact that Palestinians were assured by UNRWA that they were still "refugees" that enabled them to pursue economic integration without concern that this was endangering their paramount demand of return.

The refugee camps were no longer the places where aid recipients received limited-time assistance, but the places where a new Palestinian identity was forged, and the places where the Palestinian demand for return could fester and grow. It was no longer the refugees' humanitarian needs that dictated the temporary provision of services, but rather the political desire to prolong the politicized status of "refugees" that dictated the provision of services.[23]

The loss of the humanitarian rationale for the continued existence of the refugee camps turned them into a farce. The leap in the refugees' economic standing quickly led them to develop a real estate market in the camps. Houses and plots of land were put up for sale. At first UNRWA tried to supervise the process, demanding that buyers register their every purchase, but it lost control by the end of the 1960s and stopped trying to interfere in the sales of properties in the camps.

The sellers were mostly moving up the property ladder, with an economic status that enabled them to leave the camps for the adjoining towns. The buyers came from outside the camps and had to pay a full price for UNRWA's basic housing as well as extensions and renovations performed over time. Not a single cent was transferred to the management of the camps, apart from small bribes demanded intermittently for the silence of the camps' bureaucrats.[24]

UNRWA subsequently lost track of the identities of the camps' residents, who were joined by a constant flow of newcomers. In some

camps, these new residents soon amounted to half of the total population. They were mostly Palestinians who used to live in the towns but whose personal circumstances had taken a turn for the worse. The unemployed, the elderly, and the infirm moved to the camps because of their many advantages, especially the food rations; while residency in the camps did not automatically guarantee food rations, the disorder meant that whoever lived there generally received this benefit. Benefits also included free access to health clinics, water, and sanitation facilities, as well as an exemption from municipal taxes. Population figures from the West Bank from 1948 to 1968 attest to this phenomenon of an influx of new arrivals to the refugee camps quite clearly: while the total population grew by only 13 percent, the population of the camps grew by 53 percent.[25]

Although most refugees could buy their own food thanks to their work outside the camps, UNRWA continued to give them daily food rations of 1,500 calories per capita. This led to the development of a black market for food vouchers in the camps. An American journalist who visited a refugee camp near Amman in 1966 reported that such vouchers were being bought at 98 cents and sold at $1.40. The vouchers generally belonged to dead people or refugees who had left the camps.[26] Despite UNRWA's clear instructions to provide food only to the voucher-holders themselves or their relatives, there developed a whole class of profiteers who held on to upward of one thousand voucher cards each, or even those of an entire camp. In the morning, these food merchants used to arrive at the food distribution points to receive flour, oil, lentils, and sugar. After leaving the distribution points, they unfurled blankets on the ground, set up measuring scales, and began hawking their wares.

This was a familiar phenomenon. In 1966, the US Senate heard an assessment that 200,000 out of roughly 450,000 food voucher cards in Jordan were in the hands of such merchants. UNRWA was also cognizant of the problem and wrote in one annual report that it was a "long-standing abuse." While attempts to tackle the issue were met with violence from the merchants and their cronies, the problem was eventually largely eliminated.[27]

There was also no connection between the number of refugees registered with UNRWA and the number in practice. Families did not report the deaths of the elderly or relatives who had emigrated, lest they lose their food allowances. Every year, UNRWA noted in its reports that the number of registered refugees did "not necessarily reflect the actual refugee population owing to … unreported deaths and undetected false registrations."[28]

The most glaring phenomenon in this regard was the emigration of hundreds of thousands of young Palestinians from the refugee camps to Persian Gulf states in the 1960s and 1970s, which did not result in the subtraction of a single refugee from the numbers UNRWA reported. The Gulf emirates, which had just won independence, were clamoring for skilled labor, which duly arrived from the refugee camps in the Gaza Strip, Lebanon, Syria, and Jordan. Palestinian researchers estimate that one in three Palestinians left the refugee camps in this period; by accepted estimates, by the summer of 1967 at least 100,000 refugees had left the West Bank and Gaza Strip alone.[29] Thus the Palestinian population of Kuwait, presumably a large share of whom were UNRWA-registered refugees, grew from 35,000 in 1961 to roughly 140,000 in 1970, and to approximately 400,000 in 1990 on the eve of Saddam Hussein's invasion.[30]

At first, the arrivals were mostly men and young people who had just finished their studies at UNRWA schools, who were considered exceptionally educated and high-quality manpower. They were very often followed by their wives and families. Rapid economic growth in the Gulf from oil exports greatly increased the demand for workers. A long line of Palestinian terrorist leaders, including Yasser Arafat, Ghassan Kanafani, and Leila Khaled, made this journey from the refugee camps to jobs in education or engineering in one of the wealthy Gulf states. In 1981, half a million Palestinians lived in the Gulf (Saudi Arabia, Kuwait, Qatar, and the United Arab Emirates)—more than in the Gaza Strip.[31]

On the face of it, these figures were a great achievement for UNRWA, which had succeeded through prudent investment to educate a whole generation of Palestinian youth who could leave the camps, find work in the developing economies of the Gulf, and become economically independent,

even wealthy. After all, this was precisely what the United States and many others in the international community had hoped: to use UNRWA to rehabilitate the Palestinian refugees. They may not have received citizenship, but they were no longer dependent on aid and had effectively started new lives. It looked as if they had fulfilled the typical desires of every refugee in the world.[32]

Nevertheless, none of these successful migrant workers stopped being refugees: they were still "Palestine refugees" in the registers of UNRWA, which treated them at most as temporary absentees. UNRWA's annual figures of registered refugees include no mention of these dramatic mass migrations: in every year between 1960 and 1979, the number of registered refugees grew—for a total increase during the period from 1.1 million to 1.8 million.[33]

What arose here, therefore, was a unique type of refugee: one who existed primarily on paper—who lived in a refugee camp but sold real estate, traded in food and UN rations cards, or left for work in a foreign country. In the 1960s and 1970s, the Palestinian refugee experience had truly begun to shed most of the typical characteristics of refugee crises around the world. UNRWA, though, was still invaluable for the Palestinians, but for political rather than humanitarian reasons.

Outwardly, the Palestinians saw the very continued existence of UNRWA as providing demonstrable evidence of the world's support for their cause. "As long as UNRWA exists," East Jerusalemite journalist Hanna Siniora said in the 1980s, "it is a sign that the UN supports the Palestinian people."[34] Inwardly, the Palestinians had decided to imbue UNRWA with new content, turning it into the primary instrument for not only the perpetuation of their political status as "refugees" but also the creation of a new Palestinian nation.

* * *

Meanwhile, in early January 1959, American economics professor John Davis was appointed commissioner-general of UNRWA. Sixty years old with a broad face and sharp eyebrows, Davis arrived at UNRWA's headquarters in Beirut with no prior background in the Middle East. Like

many of his predecessors, he brought mostly knowledge and experience in agriculture and economics, having earlier been an under secretary in the Eisenhower administration and an economics professor at Harvard University.

Unlike his predecessors, Davis came to be increasingly seen as an advocate for the Palestinians on the world stage. As early as 1960, in his first annual report to the UN General Assembly, Davis stated that the Arab countries lacked the capacity to rehabilitate the refugees in their own territory. He also stated that UNRWA by itself was incapable of solving the refugee problem and acknowledged that "major development projects designed with the specific purpose of resettling refugees are unacceptable to [the Palestinian] refugees and [the Arab] host Governments alike."[35]

In 1962, he chose to present what was essentially the Arab narrative about the conflict in his report, without mentioning that it was the Arab rejection of partition that led to the Palestinian dispossession. "Looked at from any standpoint," he concluded, "the lot of the Palestine refugees during the past fourteen years constitutes a tragic page in human history."[36]

These were the first hints of UNRWA's general change of trajectory. The director-general's annual reports to the UN General Assembly were completely overhauled. If in the 1950s the reports presented the Palestinians as individuals in need, from the 1960s onward they expressed more of the Palestinians' national and political demands, and in particular their demand to return to Israel. Despite UNRWA's protestations of neutrality, it had effectively been politicized and could no longer easily extricate itself from its service to the Palestinian cause.[37]

When Davis retired from UNRWA in 1963, the Arabs feared that they had lost an important ally. Indeed, his positions and political activity after he left the agency led *The New York Times* in 1970 to refer to him as the best-known pro-Arab lobbyist in Washington.[38]

Whereas UNRWA's directors in the previous decade had preferred to ignore the refugee problem's political dimensions, focusing on efforts to promote rehabilitation schemes, Davis openly said that the problem was political inasmuch as the Arabs were not prepared to accept Israel. He was speaking on the basis of countless conversations and meetings in Arab

capitals, and it was clear from his remarks that he had betrayed even the slightest appearance of neutrality and adopted the Arab position that the establishment of the state of Israel had been a mistake.

In a speech he gave in the US soon after his departure from UNRWA, Davis outlined his thinking on the Middle East, explaining that even if the refugee problem were solved, "the resistance and opposition of Arab peoples to Israel as a state would continue virtually unabated." Deeper than the refugee problem, he argued, was the Arabs' opposition to Israel's existence, because they saw Israel not as a legitimate state but as a colonial project rendered possible only through the intervention of foreign powers.[39] Davis was correct in his analysis, but his conclusion was to side with the Arabs who said all along that only abolishing Jewish sovereignty would solve the matter for them.

Davis's activities in subsequent years clarified his positions. In 1969, he became the head of an organization involved in raising funds for Palestinian refugees. In 1970, *The New York Times* printed a letter in which Davis justified the killing of civilians by Palestinian terror organizations because they were acting, he said, for the just cause of restoring their usurped rights. If the Palestinians were forced to injure civilians, he wrote, it was but a response to the unjust war that compelled them to leave their homes in 1948.[40]

It is difficult to ascertain when exactly Davis developed his stance with regard to Israel, but a man who held such views should not have stood at the head of what was supposed to be a neutral UN agency. It also highlights the political climate and organizational culture that prevailed at UNRWA. Immediately after the 1967 Six-Day War, Davis published a book titled *The Evasive Peace*, which brings to mind the talking points of the most extreme anti-Zionist organizations of our time. It includes the Arab world's most virulent accusations against Israel.

Ignoring history, ignoring the fact that Jews were indigenous to the land and had been connected to it since biblical times, Davis explained that a Jewish state had no place in the Middle East because the indigenous Arabs were the true owners of the land. According to him, the very idea of a Jewish state was immoral because it required prioritizing the interests of

one population group, the Jews, over those of another, the Arabs (although he failed to explain how prioritizing the interests of the Arabs over those of the Jews would not similarly be considered immoral). The Arabs' persistent hostility toward Israel, Davis added, derived from the establishment of a Jewish state on Arab land that had been taken by force. "The one hope for ending Arab-Israeli conflict quickly and without war," he wrote, "[is for] Israel … to divest herself of the Zionist attributes that cause conflict."[41]

Davis's book also betrays clear anti-Semitic tones. Davis's criticism of Israel was not targeted at any particular action but was indiscriminate and comprehensive. "A Jewish state has to be a racist state," he wrote. He also referred in his book to world Jewry and its tremendous international influence. Davis focused on the World Zionist Organization, describing its activities like a supranational government, with tentacles extending into such areas as the media and the economy.[42]

Davis's proposals for solving the conflict started with neutralizing the Jewish character of the state of Israel and turning it into an Arab-majority country. Only then, he explained, could the rights of the Palestinian people be realized. The refugees all had to be permitted to return to Israel, he wrote, because this should be their right under law. None of his predecessors at UNRWA had expressed such a view. He recommended that the United States stop supporting the Zionist enterprise, because the main problem in the Middle East was the Jews' unjust demand for sovereignty.[43]



Under Davis's management, UNRWA had come to play a central role in the early stages of the development of a national Palestinian identity, as well as in the Palestinian society's ability to survive the defeat of 1948. The agency's endurance and the perpetuation of refugee camps were key components in the cultivation of a national identity, separate and distinct from other Arabs, which was formed around the violent resistance of Zionism.

When Western nations abandoned their intentions to rehabilitate the refugees in the late 1950s, a vacuum was created at the heart of UNRWA. Since the agency had been emptied of any clear objective or substance, the

Palestinians—led by the PLO—were able to fill it with their own agenda. Thus UNRWA was transformed from being a failed agency for refugee rehabilitation to a very successful organization for the development of a Palestinian national identity and consciousness. The problem was that in the Palestinian case, this national consciousness was being built exclusively on the negation of the aspirations of the Jewish people to national self-determination in the land. This specific formulation of a national consciousness was tragically unnecessary, as both peoples could have achieved self-determination in the land, side by side.

For the Palestinians, UNRWA served as the institutional framework for a national awakening and the foundation for the construction, or even creation, of a nation. The Palestinians started to see UNRWA as an incubator to develop and grow their national movement, a breeding ground for the attainment of political, social, and economic ends. To borrow from the history of the Zionist movement, one could say that just as the Jewish Agency was the necessary infrastructure for the establishment of the Jewish state, so, too, was UNRWA for the creation of the Palestinian national movement and the PLO. The big difference was that the Jewish Agency was a solely Jewish organization, whereas UNRWA bore an international imprimatur.

UNRWA fulfilled this role in several ways. First, and most critically, the refugee camps preserved the Palestinian social order that existed before the 1948 war, including the clan structure. Had UNRWA not maintained the refugee camps, the Palestinians would have had to be rehabilitated as individuals or in nuclear families in their host societies, and their social cohesiveness would have been eroded; they would have been unable to rely on their clans, which were preserved unchanged in the camps. They would have had to start caring for themselves, looking for jobs, and worrying about their daily lives—individually.

The camps were typically divided into neighborhoods named after the villages in Israel from which the refugees came, incorporating names of landmarks from those villages. For example, Dheisheh Refugee Camp in Bethlehem has a Beit Jibrin neighborhood populated by displaced persons from the village of Beit Jibrin; Al-Yarmouk Refugee Camp in Syria is also

divided into neighborhoods such as Tira, Lubya, and ’Ayn Ghazel, all named for the refugees’ villages of origin.[44] Thus, the geographical and emotional attachment remained very real and concrete.

A further key element in UNRWA’s role was economic and organizational. Unlike other UN agencies, UNRWA employed mostly local refugees; by the early 1960s, almost all of its workers were Palestinians. The employment opportunities that UNRWA offered, and the comfortable salaries that it provided for tens of thousands of households, greatly improved economic conditions in the camps. Palestinians also rose to key management positions; in effect, UNRWA became the largest and most important organization run by Palestinians since their defeat in the 1948 war. UNRWA also trained the next generation of leaders: Palestinians who worked for the agency acquired knowledge and an education, contributing to the emergence of a new bureaucratic middle class whose members later played important roles in refugee communities. In their eyes, UNRWA was a domestic Palestinian actor precisely because of its role in this Palestinian nation-building process.[45]

While the Palestinians lacked sovereignty over the territory where they lived, the refugee camps became Palestinian zones. They were effectively extraterritorial autonomous islands, territories administered by UNRWA, which officials from the Arab host countries rarely entered. This relative independence facilitated the growth of political and later military activism in the camps. Political societies were formed around the camps, and UNRWA’s Palestinian employees were divided by party loyalty, including the Communists, Fatah, Ba’ath, and Muslim Brotherhood. At the same time, the camps also saw the emergence of powerful workers’ associations, including the UNRWA teachers’ association.

The growth of political organizing would not have happened without the camps and UNRWA. The Arab host countries did not view the Palestinians’ political activities with favor, and Jordan completely opposed any expression of an independent and separate Palestinian national identity. Only in the refugee camps could the Palestinians start consolidating their own political and organizational structure, apart from their surrounding societies and under the protective umbrella of an international agency. In

other words, without UNRWA, at the very least it would have been tremendously difficult to foster a distinct Palestinian identity.

* * *

But it is undoubtedly UNRWA's education system that became one of the most important Palestinian national-consciousness-building instruments. UNRWA created an extensive educational system for the refugees, which, in addition to providing basic academic instruction, further enabled the construction of an independent national consciousness, through poetry, storytelling, music, art, and theater. As Khaled al-Hassan, a Fatah leader, acknowledged much later, while Fatah's terror cells could only train one agent at a time, UNRWA schools could train the hearts of the masses.[46]

National education systems play a central role in the construction and preservation of national identities. This is a universal phenomenon. But the Palestinians did not possess a distinct education system until it was created for them by UNRWA. It was UNRWA's education system that gathered the refugees' children under one roof. Studies have found substantial differences between the national consciousness of Palestinians educated in UNRWA schools and that of those educated in private or public schools in the Arab world. In one study, Palestinian children in Jordan and Egypt were asked about their family history and Palestinian military leaders who had fought Israel in 1948. While few of the children educated in private or public schools in their host countries could answer these questions, the children in the refugee camps could recite the names of the villages and leaders by rote.[47]

Palestinian refugee children spent many long hours every day at UNRWA schools. There they had not only a collective physical but also mental space, where their identity was shaped around the experience of their families' uprooting and their demand to return. In addition to learning facts, such as the country's geography, the students were primarily indoctrinated with claims of exclusive Palestinian rights over the entire land, the illegitimacy of the Jewish state, and the unprecedented injustice that befell them.

UNRWA did not treat the Palestinian refugee children merely as part of a broader Arab world but provided the setting to study a history that was unique to them. The new historical timeline taught in UNRWA classrooms stretched from the Balfour Declaration to the anti-British revolt in 1936–1939, all centered around the necessity and exigency of turning the clocks back. "Return to Palestine" was the centerpiece of UNRWA's education system. The heroes whose deeds were praised and celebrated were such men as anti-Zionist militia leader Abd al-Qadir al-Husseini, mentioned in the first chapter. Never before in history, during Turkish or British rule, had rebel figures like him been studied in Arab schools as a source of admiration.

These schools were often built in the center of the refugee camps and became the center of communal camp life. They hosted activities during and after school hours. The teachers were Palestinians—refugees and their offspring in the camps—who passed on their personal experiences. Pupils reported that their teachers were faithful to the national struggle. They were the ones who inculcated in them their sense of Palestinian nationality. The teachers in turn noted that UNRWA's curriculum was the number one factor in the cultivation of their pupils' political consciousness. One teacher perfectly summed up the importance of the refugee camps. They were "a place of exile," he said, "a temporary state; a pre-1948 village; and a place of political resistance."[48]

UNRWA's schools repeatedly emphasized the idea of a violent return to the territory of the state of Israel. Here, for example, is the oath that schoolchildren recited every morning in the beginning of the 1960s in UNRWA schools in the Gaza Strip—funded and supported by Western states. Standing in a line and facing the direction of Israel, the pupils used to recite these words:

> Palestine is our country,
> Our aim is to return.
> Death does not frighten us,
> Palestine is ours.
> We will never forget her.

Another homeland we will never accept!
Our Palestine, witness, O God and History:
We promise to shed our blood for you![49]

Here is a further example of a poem taught in UNRWA schools:

Will there be a return?
An end of the long exile?
Yea! Soon we will return,
The world will hear our marching when we return!
Then we will kiss the dewy soil,
With lips thirsting for more!
With thundering storms will we return!
With holy lightning, dauntless warriors.
We are the rebels from every town,
We came with fire to break away the yoke![50]

And another example:

The refugees are ever kindling
In their camps, in that world of darkness,
The embers of revolt,
Gathering force, for the return …
Their stolen rights cry in their hearts,
Inflamed by misery and hunger.[51]

All the maps of Palestine used in the schools showed the whole of Israel painted black. In one corner there was a picture of the Dome of the Rock and other historical sites; the other corners showed illustrations of refugees in tents and in caves. The whole area of the Negev, from Aqaba to Beersheba, was superimposed with the words "Verily We Are Really Returning," with infantry, tanks, and airplanes in the background.[52]

UNRWA's education system effectively became an instrument for the mobilization of the population of the camps for the Palestinian armed

struggle. “We hope to mobilize forces that will be much stronger than the armies put in the field in 1948 by the Arab League,” recounted one teacher from a refugee camp. These educational institutions funded and operated by the international community started to be renamed “fedayeen” (after the armed Palestinian men who used to infiltrate Jewish villages and kill civilians). All of this was to exalt, glorify, and praise the “Palestinian revolution,” which publicly proclaimed its intentions as the conquest of Israel by force.[53]

Indoctrination in UNRWA schools was so intensive that children in the camps could recite by heart their parents’ and grandparents’ stories of how they left Palestine during the war. It was as if they had undergone these experiences themselves. They could describe the homes that had been left behind down to the tiniest details, including the color of the curtains, the shape of the windows, the garden, and the smell of the flowers. In math lessons, teachers wrote exercises on the board based on the figure “418,” thought to be the number of Palestinian villages before the war; and in grammar lessons, children polished their conjugation of the verb “want” using sentences such as “I want to exercise my right of return to my home.” In Jordan, Palestinian teachers in UNRWA schools took care to speak in the Palestinian dialect. Children who learned in camps therefore pronounced certain words differently from their peers in Jordanian schools. In certain cases, these children attested that without UNRWA’s education system, they would likely have lost their identity and assimilated into surrounding society.[54]

UNRWA schools may have managed to raise a generation educated beyond parallel in the Arab world, but it was also an embittered, angry, and frustrated generation, raised on myths about ethnic cleansing by the Jews, the perfidy of Arab leaders, a sense of victimhood, and a refusal to take responsibility for the results of the Palestinians’ actions in the years and months before Israel’s birth and thereafter. The Palestinians were never encouraged to come to terms with reality and to move on with their lives. Nowhere was there any space for the rights of the Jews or the possibility of coexistence in a shared land—an obvious prerequisite to peace. Instead of preserving its own neutrality, UNRWA promoted an uncompromising

stance among the Palestinian refugees and enabled its deep entrenchment. UNRWA pupils, such as Gashey, the Munich Massacre terrorist, drew the necessary conclusions.



Even the United Nations itself concurred that the textbooks taught in UNRWA schools did not meet accepted international standards. Following complaints about what was happening in the UNRWA classrooms, the United Nations appointed a three-person expert committee to examine the textbooks and their suitability with respect to universal principles of education. After a months-long examination, in its report of April 1969, the committee noted that:

> Apart from passages in which there is a more or less open call to violence, there are cases where the use of such terms as liberation (tahrir), return (‘awda), and even purification (tathir) may not at first sight seem to involve any real appeal to violence. But as they often provide the subject matter for much less ambiguous exercises or comments, their use in such conditions can be considered as likely to imply, suppose, justify or advocate an appeal to violence.[55]

The committee therefore concluded that most of the books (79 of 127) ought to be banned or their content modified.[56] The committee found, for instance, that exercises in grammar books were “obviously meant to maintain the nostalgia for the ‘usurped homeland’ and to strengthen the desire to conquer it one day.” One example exercise included this sentence: “The Palestine army was created as the vanguard of the Arab armies which are struggling to evict Israel and give Palestine back to its rightful inhabitants.” In Arabic study books, there was a recurring motif of liberation from colonialism; the committee reasoned that this was likely to “strengthen frustration or the idea of revenge in the minds of children.” Some of the history textbooks presented the Arabs as victims of the Crusaders, Mongols, and Ottomans in the distant past, and of Western imperialism and Zionism in the recent past and present. The committee

wondered whether from a strictly educational perspective, "it would not be better to avoid bringing up a whole generation in so acute an atmosphere of despair, frustration and antagonism."[57]

The committee also found that the state of Israel did not appear on any of the maps in geography textbooks. Religion textbooks gave "excessive" importance to the problematic relations between the Prophet Muhammad and the Jews of Arabia (in the seventh century) in a way that was likely to persuade the children that the Jews always had been, and always would be, the "irreconcilable enemy" of the Muslims. The committee further found that civics textbooks included widespread "indoctrination" and argued that such systematic brainwashing did not agree with the values of the United Nations.[58]

The committee discovered terms in the textbooks that denigrated and degraded Jews, including "liars," "cheats," "moneylenders," and "idiots." The books made frequent use of terms that constituted implied appeals to violence, such as "the usurped homeland," "the usurpers," and "purification" (of Jews from Palestine). In its recommendations, the committee suggested that UNESCO prepare some "model textbooks" to give Palestinian children "a broader view of the world around them and, with a more objective and optimistic view of life, generate in them greater confidence in themselves."[59]

But the committee's recommendations changed nothing. Jordan was the only country to agree to make any changes to UNRWA's textbooks; Syria, in contrast, denounced the report as a violation of its sovereignty. In any case, Palestinian teachers in the classes—even in Jordan—made no changes to their teaching plans and continued teaching the refugee children about the "lost paradise" that had been unjustly usurped from them by the Jews.[60]

The result of all of this was a national identity built entirely around a sense of victimhood and injustice and the view that it could only be rectified through violent means. The constituent experience of the Palestinian people, as was taught in UNRWA schools, day after day, year after year, was the exit from Palestine, for which the Jews alone were to blame. UNRWA's directors and their financial backers in Washington and New York hoped that UNRWA's education system could take the sting out

of the Palestinian refugee problem, and that a generation of young educated Palestinians would invest their efforts in building a positive future. But in practice, the schools in the camps served first and foremost as highly politicized cultural actors, perpetuating the Arabs' approach of rejecting the notion of resettlement in Arab countries, rejecting the existence of the state of Israel, and demanding a return to pre-1948 realities.

UNRWA thereby became a domestic Palestinian political actor, without being officially authorized or formally acknowledged as such. Despite UNRWA's declared policy of resettling and assimilating the refugees in their general surroundings, its education system became one of the biggest obstacles to such processes in practice. Had the mandate to care for Palestinian refugees been given to UNHCR, and had its policy of rehabilitation and resettlement in host countries been applied to Palestinian refugees, the vast majority of them would have been absorbed in the surrounding Arab states.

The children raised and educated in the refugee camps went on to become the most politically conscious group in both Palestinian and wider Arab society. The camps produced many figures who would grow to prominence in the Palestinian movement, including Hamas leader Ahmed Yassin, Fatah number-two Abu Jihad, the writer and Popular Front for the Liberation of Palestine (PFLP) spokesman Ghassan Kanafani, Fatah-affiliated poet Ahmad Dahbour, and caricaturist Naji al-Ali.



These anti-Israel views did not infiltrate UNRWA in a vacuum. At the same time, the United Nations was undergoing some far-reaching changes that had a dramatic influence on the international climate and on UNRWA's working environment. In the 1950s, the world began to undergo a process of decolonization, which meant a substantial growth in the number of UN member states in a very short time—from 51 at its foundation in 1945 to 144 by 1975. These were nations in Africa and Asia that had just won their independence after liberation from the yoke of colonial rule, mostly by France and Britain. Many disliked the Western states because they had just been their despotic colonial masters, and they formed the Non-Aligned

Movement (NAM) in 1961, declaring that they identified neither with the capitalist West nor the communist East (although in practice they were mostly inclined toward the Eastern bloc).

This development heralded bad news for Israel. In the perpetual tug-of-war at the United Nations between East and West, the Communist bloc received a surprise force multiplier: the raised hands of the envoys of the awakening Third World. The Soviet Union could now pass almost any resolution it wanted at the United Nations thanks to the combined support of the states of Eastern Europe, the Arab world, and the Non-Aligned Movement. Every condemnation of Israel, no matter how strong and no matter how biased, received an almost automatic majority at the UN General Assembly. Witnessing these changes firsthand, initially as Israel's ambassador to the United Nations and later as its foreign minister, Abba Eban was quoted as saying that "if Algeria introduced a resolution declaring that the earth was flat and that Israel had flattened it, it would pass by a vote of 164 to 13 with 26 abstentions."[61]

This trend regarding the Arab refugee problem was felt as early as the first half of the 1960s and was greatly emboldened after the Arabs' defeat in the Six-Day War. This was when the "Palestine Problem" or the "Question of Palestine" began to assume an increasingly central place on the United Nations' agenda. The first signs of this change toward the refugee problem and the strengthening of the United Nations' anti-Israel orientation were visible immediately after the war, when the UN Security Council called on Israel to repatriate the refugees who had fled during the Six-Day War from the West Bank to Jordan. The General Assembly followed suit, but also decided that there was a need for a Special Committee to Investigate Israeli Practices in the occupied territories.[62]

These were only the first drops, soon to be followed by a flood of one-sided resolutions expressing a growing acceptance of the Palestinian narrative about the genesis of the conflict and the best solution for it, even if it negated the existence of the state of Israel. In 1969, for example, completely ignoring any Arab responsibility for the conflict, the General Assembly "recognized" that the problem of the refugees had arisen only due to Israel denying their "inalienable rights." Until then, the United

Nations had tried to avoid stipulating a reason for the perpetuation of the refugee problem—a phenomenon for which, in no small sense, it bore responsibility. Now it chose to do so by adopting wholesale the Palestinian and Arab versions of events, pinning the whole blame on Israel alone.[63]

The General Assembly carried on passing increasingly more resolutions in a similar vein every year. Much like a religious ritual whose steps are known in advance, an Arab state would draft a resolution and bring it to a vote, and ambassadors in the great hall of the General Assembly would raise their hands in unanimity without objections. In 1970, the UN recognized the Palestinians' right to self-determination without specifying territorial limits. In so doing, the UN General Assembly raised *the* definitive question, which remains unanswered to the present day—when the Palestinians speak of return, where precisely do they intend to return to, and how can this demand be reconciled with Israel's own right to self-determination?[64]

Not much time passed before the United Nations provided its own outrageous answer: the General Assembly clarified in 1973 that the refugees' "right to return to their homes and property … is indispensable for the achievement of a just settlement to the refugee problem and for the exercise by the people of Palestine of its right to self-determination."[65] But a return to their former homes and property could only be realized in the territory of the state of Israel atop the ruins of the Jewish right of self-determination.

The United Nations, then, established after the Second World War to preserve world peace, decided to violate the sovereignty of a member state in complete contradiction of its own charter. From a position of purported neutrality, the United Nations grew hostile to the state of Israel, with positions identical to those of the states that coveted Israel's annihilation.

A virtual anti-Israel mania gripped the glass-and-concrete building on New York's East River. The "Question of Palestine" was added in 1974 to the General Assembly's official agenda, where it remains to this day. The same year, the United Nations recognized the PLO—an organization responsible for a multitude of brutal terror attacks and massacres of entire families and schoolchildren, which was still publicly calling for Israel's

annihilation—as the representative of the Palestinian people, and accorded it observer status. Also that same year, the UN General Assembly passed Resolution 3236, its most detailed resolution on the matter of Palestinian rights, in which it reiterated and referred even more clearly to "the inalienable right of the Palestinians to return to their homes."[66] And, in 1975, the United Nations established its Committee on the Exercise of the Inalienable Rights of the Palestinian People (CEIRPP).

Prior to this flurry of resolutions, the Palestinian demand for return had never been recognized as a "right"—certainly never as an "inalienable" right. This, however, was now the official policy of the General Assembly. Subsequently, the phrase "right of return" started appearing in UNRWA's annual reports. Resolutions 3089 and 3236, in 1973 and 1974, respectively, determined that the Palestinians not only had a right of return but that this was in the context of their right to self-determination—that is, at Israel's expense. International law experts have asked whether the United Nations has the authority to make recommendations that meant violating a country's sovereignty. "It is difficulty [*sic*] to imagine," wrote jurist Kurt René Radley, "how much closer the General Assembly could have come to endorsing the destruction, in part or whole, of a [UN] member state."[67]

In the deliberations over Resolution 3236, the opposing states—mostly from the West—objected to the fact that the resolution ignored the principle of protecting Israel's sovereign rights. The Barbados envoy noted that while his country recognized the rights of the Palestinian people, in order to support the resolution it needed first to understand where exactly Palestine, to which the refugees intended to return, was. If "Palestine" meant the state of Israel, then this would be a violation of Israel's very right to exist. His remarks pointed to the inherently problematic nature of the Palestinians' demand to "return to their homes." What was true then remains as true now.[68]

The most disturbing, and in many ways seminal, episode for the United Nations' unrestrained assault on Israel came a year later, on November 10, 1975, when the General Assembly passed its now-infamous resolution declaring that Zionism is racism. The vote shocked many, especially in the United States. This resolution is rightly considered the peak of the Soviet

Union's diplomatic campaign against Israel with its Arab allies. The resolution completely ignored that Zionism was a national movement, which was not seeking any special, much less colonial, exclusive, or racist privileges for the Jewish people, but merely their right to self-determination just like every other people. Instead, as with other resolutions and declarations at the time, the United Nations adopted a sharp and aggressive anti-Israel stance.[69]

This series of resolutions and declarations was joined a short while later by an unprecedented bureaucracy that operated from inside the United Nations building: in 1977, the Special Unit on Palestinian Rights (nowadays, the Division for Palestinian Rights), effectively a propaganda arm of the Palestinians, was established under the UN Secretariat. It funded research and publications, held conferences, published leaflets and booklets, and collaborated with other international organizations to advance the Palestinian question. All this was, and still is, conducted under the auspices and with the funding of the United Nations, which thereby assumed the uncompromisingly militant line of one stance in the conflict and placed the Palestinians' rights above not only the Israelis' but also those of everyone else in the world. Still today, the Palestinians are the only group in the world with a whole division at the UN Secretariat dedicated to protecting their rights. Even the victims of genocide in Cambodia, Darfur, and Rwanda never received such support.[70]

⋆ ⋆ ⋆

Meanwhile, in the United States, Edward "Ted" Kennedy became the youngest member of the Senate when he was elected to office in 1962, soon after his elder brother John was elected president. The young senator served, among other roles, as chairman of the Senate Subcommittee on Refugees and Escapees. A few years after his election, he was surprised to receive concerning news from the Middle East: the UN agency for Palestinian refugees, UNRWA, which the US government had been generously supporting, was helping terror operatives of the PLO, an organization that had been founded recently with the goal of eliminating the state of Israel.

This surprise was misplaced. The symbiosis between UNRWA and the PLO, and the connection between the culture of the refugee camps and Palestinian radicalization, had both emerged quite naturally and inevitably. It was only a matter of time before UNRWA and the PLO started cooperating. When schools were feeding Palestinian children a narrative of victimhood, based on a singular, striking injustice that could only be remedied through violent self-sacrifice for their stolen homeland, the result was inevitably going to be mass enlistment to terror organizations. A straight line connects the perpetuation of UNRWA for political reasons to the emergence of such figures as the terrorist Jamal al-Gashey.

Indeed, UNRWA employees were invited to participate in the first session of the Palestinian National Council at East Jerusalem's Intercontinental Hotel in May 1964, where the establishment of the Palestine Liberation Organization was formally proclaimed. This meeting also approved the first version of the Palestinian National Charter, which said that the Arabs had an exclusive right over the whole land and that the establishment of the state of Israel had been illegal.[71] From the outset, the principle of return was one of the PLO's most important ideological elements. A year later, a PLO branch was founded in Gaza, and a mandatory conscription law required every Palestinian male ages 18–30 to enlist in the Palestine Liberation Army. An internal UNRWA report at the time noted that the law applied to hundreds of the agency's own workers.[72]

Kennedy's refugee subcommittee in Washington started to receive reports of UNRWA personnel who were still receiving salaries from the United Nations while swearing allegiance to the violent annihilation of the state of Israel. As a UN agency, UNRWA was obligated to neither participate in nor assist military activity, even by providing food, clothing, or housing. But in 1966, only two years after the PLO's establishment, it was estimated that some fifteen thousand PLO members in the camps were receiving food rations and other aid from UNRWA.[73]

Senator Kennedy set out to investigate. "It is incompatible with United States policy and with the fundamental concept of the United Nations," he said in 1966, "to supply aid in any way to members of any army whose announced purpose is the destruction of a member nation of the United

Nations." He dispatched two investigators to the refugee camps in Syria and the Gaza Strip and discovered that the ties between UNRWA and the PLO were real: refugees supported by the United Nations were going through military training.[74]

The episode bore the strong scent of the Cold War. At the same time, Ahmad Shukeiri, the first chairman of the PLO, met the North Vietnamese ambassador in Cairo and promised to send Palestinian fighters to Vietnam to help them fight the Americans (the Palestine Liberation Army was receiving arms and ammunition from the Soviets and Chinese). Thus it happened that the US government was not only indirectly aiding attempts to destroy Israel, but was even contributing to the efforts of its own greatest global rivals.[75]

The US State Department demanded that UNRWA stop supplying food to PLO members. In late 1966, Congress legislated that the transfer of funds to UNRWA be halted unless the agency ceased its support for PLO members. Such a change would have required the cooperation of UNRWA's employees and Arab host countries, but they had no intention of helping. The governments of Syria and Egypt, for example, argued that revealing the number and names of PLO fighters in the camps was not possible "for security reasons." UNRWA administrators in Beirut cited the chaos in the refugee camps: "When you can't always eliminate dead men from refugee ration rolls," they said, "how can you keep track of young men undergoing military training who frequently come home at night to sleep?"[76]

The PLO's grip on the refugee camps only tightened. After the Six-Day War, the camps basically became military outposts for the PLO and the main source of conscripted manpower for the various terror organizations. The PLO conducted military exercises inside the camps and established armed militias in Jordan, Gaza, Syria, and Lebanon. The residents of the camps, for their part, rushed en masse to join the new terror groups, which began sprouting like mushrooms: it's estimated that by 1970, no fewer than 50,000 Palestinians had undergone military training for guerrilla warfare in Jordan alone.[77] One of them, as noted before, was Jamal al-Gashey.

Armed men began prowling the camps unhindered. In Jordan and Lebanon, Fatah ran its Ashbal ("lion cubs") program, in which children and

teenagers underwent quasi-military boot-camp training. An inhabitant of the Bourj el-Barajneh camp in Lebanon later recalled her childhood:

> They used to show movies about the fedayeen and about Palestine … [and] about Iz el-Deen el-Qassam, the rebel who began the thaura [revolution] in Palestine. All these things we learnt through T.V. Not from our parents … I trained for three months. It was necessary for every child, girl, boy, man, woman and old person to be armed. Firstly, because we needed to be aware of our cause.[78]

By 1969, armed PLO operatives assumed de facto management of the camps in Lebanon and used them for military ends. The Cairo Agreement was signed the same year, granting the PLO formal control of the camps in Lebanon and withdrawing the Lebanese Army.[79] Guerrillas started levying taxes on the camps' residents, setting up law courts, and revising the curriculum at UNRWA schools. One inhabitant of the Tel al-Zaatar refugee camp near Beirut described the situation this way:

> The first moment I got down from the car I saw the Palestinian flag instead of the Lebanese flag and a group of Palestinians in fedayeen clothes instead of the Lebanese police. As I moved through the crowd I saw happiness on people's faces … The *sheikh* in the mosque now spoke clearly about the homeland … In the homes, mothers spoke clearly with their children about Palestine—before this was only done in whisper.[80]

The camps had truly became a state within a state. PLO chairman Yasser Arafat used to say that Israeli defense minister Moshe Dayan may control the refugee camps in the Gaza Strip by day, but he, Arafat, controlled them at night. Indeed, the camps were the PLO's most important base of support. They were the departure point for its activities and an almost inexhaustible reservoir of recruits. Because the Arab states disliked Arafat and the PLO, the camps were effectively the only space where they had freedom of action.

In Lebanon, UNRWA officials were required to coordinate their visits to the camps with the PLO; armed Palestinians stood at the entrances to camps in Lebanon to turn away unwanted visitors. A *New York Times* editorial in 1972 described with astonishment how an armed PLO man had stopped one of its reporters from entering. The offices of the PLO camp registrars displayed the typical posters of the organization's leaders in guerrilla fatigues. "It is intolerable that this humanitarian endeavor, for which the Secretary General only recently issued a new funding appeal, should be so cynically abused," argued the editorial. Contributors to UNRWA, including the United States, it continued, had a right to insist that "UNRWA funds be withheld from camps that remain under extremist control."[81]

This was also the time when Palestinian terror organizations started grabbing headlines because of their terror attacks and plane hijackings around the world, which forever changed airline security and sowed fear in the hearts of anyone entering an airport arrivals or departures hall. What began as a humanitarian attempt to rehabilitate war refugees had ended with the bloodbaths at Lod Airport and the massacre and mutilation of unarmed athletes at the Munich Olympic Village.

The entrenchment of this distinct, armed Palestinian nationalism on the watch of the international community was about to damage more than only European capitals and world airline companies. After the Six-Day War, Palestinian guerrilla groups fomented political unrest in Jordan, where Fatah had its base of operations. Fatah members spoke of turning Amman into the "Palestinian Hanoi," a springboard for attacks on the "Israeli Saigon" of Tel Aviv. On September 6, 1970, the Palestinians caused King Hussein deep embarrassment when agents of George Habash's Popular Front for the Liberation of Palestine hijacked three passenger jets belonging to Western airliners and forced them to land in Jordan.

The following day saw the outbreak of fighting between the Jordanian army, which wanted to disarm the guerrillas, and Palestinian guerrillas, some of whom had declared the north of the kingdom a "liberated Palestinian area." This was a direct challenge to King Hussein's rule, and it would have been impossible without the Palestinians' strength and self-confidence. Deploying his artillery, infantry, and airpower, the king did not

flinch from bombing population centers. Many of the battles were fought inside and around the refugee camps. After a few weeks of fighting, some three thousand Palestinians were dead. Jordan expelled the PLO, which found shelter in Lebanon.[82]

The PLO managed to form a state within a state in Lebanon, too; armed Palestinian men gained almost total control in a broad area encompassing the cities of Tyre and Sidon in the south of the country. The group's growing strength aggravated the preexisting sectarian tension in Lebanon. It also caused an escalation in the Lebanese Civil War of 1975 to 1990, which claimed the lives of more than 100,000 people. Palestinian, Shiite, Druze, and Maronite militias wrestled for control in one of the most brutal sectarian conflicts the Middle East has experienced. Here, too, as in Jordan, an Arab country paid a heavy price in blood for perpetuating the refugee camp culture.

The refugee camps and the PLO played a central role in the outbreak of the fighting: a loud argument between an armed Palestinian man and a Christian Phalangist in the heart of Beirut was the trigger for violent clashes on April 13, 1975. The same day, a Maronite church in the town was attacked; in response, there was an attack on a bus full of Palestinians en route from the Tel al-Zaatar camp to the Sabra refugee camp. In three days, more than three hundred people were dead.[83]

Twelve years later, clashes broke out in Palestinian refugee camps elsewhere in the Middle East. On the morning of December 8, 1987, an Israeli truck hit two pickup trucks transporting laborers from the Jabalia refugee camp in the Gaza Strip. Four Palestinians were killed. A rumor quickly spread that the accident had been intentional. At a funeral that evening, thousands of Palestinians stormed a nearby Israeli military post; many of them were injured when the soldiers responded with fire. The next day, the alleys of the Jabalia camp were filled with barricades. The First Intifada had begun: within half a year, there were more than 42,000 violent incidents recorded between Palestinians and IDF soldiers.

For a long while, the uprising was contained to the refugee camps—first in the Gaza Strip and later in the West Bank. Only after over a month, toward the end of January 1988, did the towns and cities join the clashes.

Prominent in the camps were such militant organizations as the “shock forces,” “popular committees,” and Fatah Hawks. Throughout the intifada, the camps continued producing leaders of the uprisings: young people imbued with a violent strain of extreme nationalism and an acute political consciousness.[84]

As with Jamal al-Gashey, decades of nationalist indoctrination, coupled with the preclusion of any possibility of rehabilitation, had borne their bloody fruits.

5: NEGOTIATING PEACE (1988–PRESENT)

November 15th marks 28 years of our historic compromise to recognize the State of Israel on the 1967 border.

—SAEB EREKAT

NUMBER OF REGISTERED REFUGEES (1988): 2,268,595[1]

Yasser Arafat was waiting in the foyer. It was April 1988, and behind the door was the first secretary of the Soviet Communist Party. Moscow had been giving the PLO tremendous support for years by then, including money, weapons, and military training in the Communist bloc. The PLO chairman was used to being greeted with warm smiles and kisses on the cheek by Communist Party leaders in Moscow; in the 1970s, he had even been invited by Leonid Brezhnev to observe the May Day parade in Red Square from the VIP box.[2]

But this time, Arafat was especially battered and bruised—isolated in the Arab world and far from the action, in his Tunis headquarters. Inside awaited a new, young, energetic Soviet leader called Mikhail Gorbachev, who within a year would allow the Berlin Wall to fall and the Cold War to end. Arafat had been asking to meet Gorbachev for a long time, to no avail. The new Soviet leader saw no great benefit in the Soviet Union's support for the PLO; and his advisors had even succeeded in stopping the politburo from extending Arafat a formal invitation. Nonetheless, under pressure

from Soviet foreign minister Eduard Shevardnadze, the meeting ultimately went ahead in the spring of that year.

Gorbachev was uninterested. “I should fire every one of you,” he scolded his advisors. “I just put my feet up, and you all pile on more and more visitors. And now there’s your Arafat. So what’s the point in my meeting with him?” One of his senior advisors later recalled how Gorbachev used to mock leaders he no longer needed; Arafat was now one such leader. During their frosty meeting, Gorbachev warned Arafat against using live fire in the ongoing intifada. The Kremlin later made sure to leak to the press that Gorbachev had pressured Arafat to recognize the state of Israel’s right to exist.[3]

This sour meeting was clear proof of the growing rift between the PLO and Moscow, and of Arafat’s fall from grace in the Kremlin. As part of his foreign policy, which sought to dissipate tension with the West, Gorbachev decided to stop supplying weapons to terrorist organizations that threatened his détente with the United States and Europe. Palestinian organizations had not agreed to cease terrorist activities, so the Soviets duly restricted their support for the PLO: in 1987, the Soviet Union sent a clear message by closing the PLO’s offices in Moscow.[4]

The new winds blowing from the Kremlin were keenly felt in the Arab world, which had enjoyed massive Soviet assistance in the form of arms, weapons, and diplomatic support since the mid-1950s. For the Palestinians, this swift and unexpected U-turn in Soviet policy provoked an acute crisis. The PLO had always known that it could count on Soviet support in international forums such as the United Nations and on a constant flow of weapons and ammunition. The end of the Cold War sparked panic in the PLO, requiring it to examine how to continue the Palestinian struggle with neither a clear patron nor international support. “We must admit we do not have all the time in the world,” acknowledged Abu Iyad, Arafat’s deputy, at the end of the 1980s. “We are not capable of war … We need an initiative to prove to our people that we exist on the political map, so that there will be a goal for the continuation of revolution and struggle.”[5]

Arafat’s solution was to pursue the friendship of the only remaining superpower: the United States of America. In the latter half of the 1980s,

Arafat had begun enthusiastically wooing Washington so that it would officially recognize the PLO. The Americans had always refused on the grounds that it was a terrorist organization sworn to Israel's destruction. In order to begin official negotiations, Washington demanded that Arafat do what had always been thought impossible—to renounce terrorism and recognize Israel.[6]



This was not the first time that the PLO chairman had had to make a policy U-turn. In the fifteen years since the Yom Kippur War, Arafat had tried several times to shake off the image of a terrorist for the trappings of a political leader who was only trying to free his people. The Arabs' defeat in 1973 had made it clear that total war to annihilate Israel and turn back the clock was not feasible, prompting a change in tone in the Arab world. Arafat understood that his dream of "liberating Palestine" with Egyptian and Syrian tanks and aircrafts would no longer come true; he needed another path.

His expulsion from consecutive Arab states, starting with Jordan in 1970 and then Lebanon after Operation Peace for Galilee in 1982, had left him without a clear base or infrastructure for operation. Israel's peace treaty with Egypt had divided the Arab world, seriously weakening pan-Arab support for the PLO. The Palestinian leadership, and especially Arafat, had converged on the understanding that military means alone would not obtain their objective. Arafat confided in Israeli peace activist Uri Avnery what he had learned from the defeat in 1973: "I concluded that there was no possibility of getting our land back through war."[7]

Arafat therefore embarked on a path that was still very much designed to "get our land back"—the land being all of Palestine—but through alternative means to war. As he no longer had the support of the Soviet Union and could no longer rely on the Arab countries to erase Israel in war, his only potential allies could be in the West. To appeal to Western sensibilities, Arafat had to find a way of substantially changing the rhetoric associated with the Palestinian struggle, without giving up on the cause itself.

As a general tactic, Arafat increasingly employed vague and ambiguous language that was designed to sound moderate to Western ears while never actually stepping away from the demand for the return of all refugees to Israeli territory and the consequent total liberation of Palestine. This was in stark contrast to the language employed by PLO leaders in their first decade of activity, when they made clear and unambiguous statements about the physical annihilation of the state of Israel. The Palestinian National Charter of 1968, for example, explicitly stated that the struggle against Israel had to be of a military nature.[8] But after the final defeat of the Arab armies in 1973, Arafat spoke more and more of the need for a political solution.

Palestinian historian Yezid Sayigh, a scholar of the history of the PLO, writes that the group's true objective remained the elimination of the state of Israel—but it was conscious of the regional and international forces precluding the attainment of its goal. "The PLO faced a hypothetical choice," observed Sayigh, "between an indirect, 'phased' strategy that would see the establishment of a state in the occupied territories as a first stage, and a direct strategy of unrelenting military conflict … The latter option was simply not available … [but] the indirect strategy still took the establishment of a secular, democratic state over the whole of mandate Palestine as its ultimate goal."[9]

The PLO's growing weakness and need to adapt to geopolitical realities merely forced a change of tactics but did not lead to a genuine, deep-seated coming to terms with Jewish sovereignty. Arafat remained adamant in his denial of the equal rights of the Jewish people to self-determination, in even part of the land. And so, Arafat started talking in the 1970s of a single "secular and democratic" Palestine. The idea of using the phrase "democratic country" was intended to placate Western publics and persuade them that Palestine, singularly in the Arab world, would manage to be a robust democracy where Jews could live securely. As much as this vision contradicted all evidence of the complete democratic deficit in the Arab world, and its record of treatment of ethnic minorities, especially Jews, it appealed (and continues to appeal) to Western ears. The fact that this vision was very much designed to annul the Jewish people's right to self-determination—that the country's character would be determined by its

Arab majority, as a result of which the Jews would return to being a lowly minority under Muslim rule, the only role they ever had in Arab countries—was brushed aside as grumpy paranoia. But the fact remained that as much as he adopted a less militant rhetoric, Arafat was still talking about the establishment of an Arab state on the ruins of the state of Israel.[10]

In addition to this beguiling vision of a single "democratic state" that meant nothing more than an Arab state to replace Israel, one of the key, and most effective, ways Arafat maneuvered the international community into believing that he was indeed a partner for peace was to emphasize the Palestinian right to self-determination while downplaying and obfuscating the demand for return. Since the Six-Day War, as the Palestinian national identity grew more distinct, demand had grown for self-determination for the Palestinians as a separate nation. This was the main reason for the PLO's initial rejection of Security Council Resolution 242 from November 1967, in the aftermath of the Six-Day War, which did not speak of the Palestinians as a side in the conflict but only of a principle of "land for peace." The Palestinians were not merely a group of refugees, Arafat declared, but a nation demanding its right to self-determination. Arafat pressed this demand repeatedly throughout the 1970s and 1980s.[11]

In theory, of course, the Palestinians' right to self-determination is entirely compatible with the parallel right of the Jewish people to self-determination. But that is only the case if the ultimate objective of the Palestinians is truly an independent state, rather than the replacement of Israel. This had been the original reasoning behind the partition plan. Arafat's consistent invocations of the Palestinian right to self-determination were therefore understood by many in the West as relinquishing his demand for Israel's destruction through return.[12]

Arafat's growing emphasis on the right to self-determination was necessary for his image makeover from arch-terrorist to statesman leading his people to independence. But contrary to the Western interpretation, the emphasis on Palestinian self-determination did not mean relinquishing the demand for return. The refugee question remained (and remains to this day) the most important litmus test for understanding the true and ultimate Palestinian position, because the demand for the mass return of refugees

cannot be reconciled with the right of the Jewish people to self-determination in their own state. The demand for a mass return of refugees to the state of Israel meant that the Palestinians did not accept the Jewish state's existence in the Middle East, and certainly not as Israelis wanted it to exist. In demanding sovereignty over the West Bank and Gaza Strip without dropping their aspirations to return to Haifa, Acre, and Jaffa as well, they were saying that any change in their position was cosmetic, a tactical move to score points for Arafat and the PLO from the West, without a strategic decision to accept Jewish sovereignty.

This is how the PLO's series of calculated reversals under Arafat since 1974 should be understood. In June 1974, the organization adopted its "Phased Plan," formally announcing its intentions to establish, in the first stage, a Palestinian state over any territory that Israel would cede. A few months later, Arafat was invited to address the UN General Assembly, and he declared that he had come "bearing an olive branch in one hand."[13] In 1977, the Palestinian National Council passed a resolution calling for the establishment of an independent state over all the territory to be vacated by Israel, later endorsing a plan for a confederation between Jordan and the Palestinian state that would be established in the territories. In the 1980s, Arafat proclaimed his desire for a "peaceful solution" on several occasions, backing the creation of an international conference based on Resolution 242.[14]

But at the same time, Arafat and the PLO repeatedly said that their strategic objective had not changed. The "Phased Plan," for example, which was supposedly aimed at the creation of a Palestinian state next to Israel, resolved that the future Palestinian state in the territories would be used as a base for future attacks against Israel. This was not a peace plan, Arafat clarified, but a strategy for the liberation of the rest of Palestine. His deputy, Abu Iyad, said that the Palestinian leadership had erred in the past, not in its objectives but in its failure to adopt a multistage policy: "An independent state on the West Bank and Gaza is the beginning of the final solution. That solution is to establish a democratic state in the whole of Palestine."[15]

Arafat continued to maintain in interviews in Arabic that there would be no concessions, no reconciliation, no recognition of Israel, and no peace. In

1978, at a massive rally in Beirut, he said: “Armed struggle is our only way. We have no other means of reaching Jerusalem, Tel Aviv, and the rest of our occupied homeland.” The Palestinian leadership reserved its clearest remarks for the subject of the refugees. Farouk Kaddoumi, head of the PLO’s political department, said of the Reagan Plan in the early 1980s: “It restricts the refugees’ right of return to the West Bank and Gaza and not their original homes of Jaffa, Haifa, and Safed. Our right applies beyond the West Bank.”[16] Arafat himself announced clearly in 1980: “When we speak of the Palestinians’ return, we want to say: Acre before Gaza, Beersheba before Hebron. We recognize one thing, namely that the Palestinian flag will fly over Jaffa.”[17]



In mid-December 1988, the telephone rang in the PLO headquarters in Tunis. On the line was Robert Pelletreau, US ambassador to Tunisia, who had been authorized by Washington to begin formal negotiations with the PLO. “This is the American ambassador,” Pelletreau told the secretary who answered the phone. He heard her excitedly calling out on the other end of the line, “The American ambassador! The American ambassador is calling!” The secretary knew that the PLO had been waiting for this call for a long time. A short while earlier, at a reception to mark Tunisia’s Independence Day, Pelletreau had passed by Arafat—who was standing in the line of dignitaries—without shaking his hand.[18]

History records 1988 as the year in which the PLO abandoned the path of armed struggle, recognized Israel, and made the historic compromise of accepting partition.[19] Formal recognition by the United States certainly marked the high point of the PLO’s process of legitimization, giving expression to the sentiment that Arafat and his organization were indeed partners for peace. But this claim requires reexamination. Since the perception of Arafat as a peace partner determined the course of events over the following three decades, this claim should be re-evaluated in fine detail.

In November 2016, PLO chief negotiator Saeb Erekat wrote in *Haaretz* that November 15, 1988, was the date of the Palestinians’ “historic compromise to recognize the State of Israel on the 1967 border.”[20] Erekat

was referring to the Palestinian Declaration of Independence, proclaimed on that day by Arafat before the Palestinian National Council in Algiers. The declaration was written by Palestinian poet Mahmoud Darwish and translated into English by Edward Said.[21]

Palestinian spokespeople in the West went out of their way at the time to claim that the declaration expressed a compromise on the Palestinians' part. Rashid Khalidi, an American historian of Palestinian origin, argued, for example, that the PLO had shed its militant language and adopted a more pragmatic approach with that declaration, which accepted the two-state solution. According to him, the PLO used its Declaration of Independence to anchor its demands for a peace deal in internationally accepted principles, such as Security Council resolutions. Khalidi cited the document's references to UN General Assembly Resolution 181 (the partition plan) and Security Council resolutions 242 and 338 (symbolizing the "Land for Peace" principle) as proof that the PLO had abandoned the path of war and turned to diplomacy.[22]

But in practice the declaration was evidence of the PLO's continued tactical use of concealment and ambiguity. Rather than having clear declarations that the PLO was now pursuing true peace with Israel and had given up on its vision of an exclusive Arab state on the entirety of the land, rather than taking the path of Egyptian president Anwar Sadat in his speech in the Knesset when he truly sought peace, a close reading of the declaration reveals that while the document contains statements likely to please Western ears, it also features a repeat of familiar, toxic rhetoric. Alongside statements about the Palestinian people's longstanding quest for peace, the declaration included severe expressions of hatred for Israel. It contains long and convoluted sentences that serve to conceal the fact that its pragmatism was in practice mere lip service.

The declaration further contains hints of a deliberate policy of deception and attempts to exploit divisions within Israel, inasmuch as it welcomed "the courageous role played by the Israeli forces for peace in their defiance and humiliation of the Fascist and racist forces and of aggression, in their support for our people's struggle and valiant uprising."[23] The Palestinian historian Rashid Khalidi made a similar point, implying that the change had

been cosmetic rather than substantive. "What is required from the PLO now is not concessions," he said, "but clarity in reaching out to the peace-oriented side of Israel."[24]

Moreover, while the document was about Palestinian independence and demanded recognition of the Arabs' right to self-determination, it still insisted on the "return" of the Arab refugees into Israeli territory. This demand for a right of return appeared in multiple places in their Declaration of Independence, often appended to the phrase "inalienable right."[25] The borders of the Palestinian state were not defined, and were certainly not restricted to the West Bank and Gaza Strip alone. Erekat's claim that the Declaration of Independence entailed recognition of Israel in the 1967 borders is therefore incorrect.

The declaration stipulated that a political settlement in the Middle East should provide peace and security for "every State in the region" without explicitly mentioning Israel. While "the Zionist entity" appeared in a few places, this polity was described in exceptionally scathing language: as a "colonialist, racist, Fascist State based on the seizure of Palestinian land [and] extermination of the Palestinian people." The declaration further said that the Palestinian people were not alone in their stand against Israel's "racist Fascist assault." It referred to "the Israeli occupation and its racist Fascist practices" and to Israel's "official military Fascist terrorism." It is hard to see how an ordinary Palestinian, listening to this declaration, was supposed to discern a message of peace: if Israel were responsible for the annihilation of the Palestinian people, there could not have been any logic to reconciliation.[26]

The declaration's invocation of international diplomatic resolutions as a basis for the demand for independence was also misleading. The allusion to UN General Assembly Resolution 181 (the partition plan) was truly astonishing. On the face of it, this should have meant acceptance of partition and the Jewish people's right to sovereignty; but in practice it meant the reverse. It stated that "despite the historical injustice done to the Palestinian Arab people … following the adoption of General Assembly resolution 181 … that resolution nevertheless continues to attach conditions

to international legitimacy that guarantee the Palestinian Arab people the right to sovereignty and national independence."

In other words, the mention of Resolution 181 was intended only to establish the Palestinian Arab people's right to independence without recognizing the parallel right of the Jewish people. Observers who wanted to understand the declaration as recognizing the rights of the Jews did so of their own accord. If anyone wanted to understand the allusion to Resolution 181 as a hint at acceptance of the principle of partition and a shift toward historic compromise, along came the Palestinians and called the resolution a historic injustice, making it clear that this optimistic interpretation was mistaken.

The Palestinian Declaration of Independence of 1988 may have stated that the PLO wanted to achieve a political solution to the conflict and that such a solution ought to be within the framework of "the Charter of the United Nations, the principles and provisions of international legitimacy, the rules of international law, [and] the resolutions of the United Nations," but it also said that a solution should be achieved "*in a manner that ensures* the right of the Palestinian Arab people to return" (our emphasis). In other words, this was not a sign of the PLO accepting principles of international law, but rather cherry-picking those resolutions that could be interpreted as supporting the return of the refugees.

The document that purportedly expressed the Palestinians' historic compromise, therefore, did not recognize the Jewish right to self-determination at all, denounced the Jewish state in the harshest language, and demanded the return of the Palestinian refugees to the territory of that state. The next morning *The New York Times* called the Palestinian National Council's meeting in Algiers a "wasted opportunity," reporting that its final communiqué "amounted to the same old fudge" that Arafat had been offering for years.[27]

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Arafat's goal in declaring independence was to convince the Americans that it was time to establish formal relations. But the State Department in Washington was unimpressed and sought more committed statements

against terrorism. For a whole month, till December 14, 1988, Arafat made several attempts to placate the Americans, making convoluted and ambiguous statements, until he finally told the Americans what they wanted to hear at a press conference in Geneva. "Our desire for peace is a strategy and not an interim tactic," said Arafat, recognizing the right of every country in the region, "including … Israel" to "exist in peace and security."[28]

Two days after the Geneva press conference, US and PLO officials held their first-ever official meeting. From his performance in Geneva, it looked like Arafat had finally demonstrated that he was a partner for peace. He promised three times to abandon war and restated his commitment to peace and to live and let live. But this time, too, the change was only ostensible. Straightaway, and alongside the conciliatory remarks directed at foreign ears, Arafat and PLO officials carried on making unequivocally bellicose statements. For example, in September 1988, senior PLO member Nabil Shaath said that the establishment of a Palestinian state "on a part … and not all the national soil" was only an intermediary stage.[29] Abu Iyad said on the eve of the Declaration of Independence in Algiers that the PLO's strategy did not include concessions and that it had no intention of accepting Israel's right to exist in any part of Palestine.[30] In his speech at the council's closing session in Algiers, he spoke even more bluntly: "This is a state for the coming generations," he said. "At first, [the Palestinian state] would be small … God willing, it would expand eastwards, westward, northward and southward … I am interested in the liberation of Palestine … but … step by step."[31]

About half a year later, in the summer of 1989, the Fatah General Council passed a resolution calling the establishment of the "Zionist entity" a crime and demanding an escalation of the armed struggle against it.[32] Khaled al-Hassan, a founder of Fatah and the man widely known as the PLO's foreign minister, said that anyone who relinquished any part of Palestine would be a traitor. Despite Arafat's public commitment to abandon terrorism, PLO terror attacks continued unabated, including the 1990 bombing of Jerusalem's Mahane Yehuda Market and an attempted attack on the beach in Tel Aviv a month later.[33]

Arafat succeeded in persuading Western audiences that he had become who they wanted him to be. Whether he was a fanatical ideologue who clung to the original Palestinian National Charter until his death and knowingly lied, or was a well-oiled politician who performed a series of tactical maneuvers to guarantee his survival as the head of the PLO but was never genuinely committed to any ultimate goal, is open to historical debate. What matters is that Arafat never accepted the principle of Jewish sovereignty over any part of the land, and did nothing to lead his people toward the historic compromise necessary for the attainment of a true two-state solution that equally respects the rights of both peoples to self-determination.

In 1990, Arafat allied with Saddam Hussein in his power play for the leadership of the Arab world. Hussein promised to conquer Israel for Arafat, who in turn praised the Iraqi dictator as a great hero. "We will enter Jerusalem victorious and will raise our flag on its walls," declared Arafat at a massive rally in Baghdad in March 1990.[34] The man who had supposedly just reconciled with Israel's existence earlier and sworn to abandon the path of violence went on to describe his imagined entry into the city with Saddam: "You will enter with me, riding on your white stallion," he said, adding that Palestinians and Iraqis would fight Israel together "with stones, with rifles," and with Saddam's Scud missiles.[35] A few months later, Arafat announced that Iraq would use chemical weapons and anthrax in the war, and that "the first missile will be launched against Israel."[36] When Iraq attacked Israel in 1991 during the Gulf War, Palestinians took to the rooftops in the West Bank to cheer the sight of Scud missiles flying overhead toward the Tel Aviv area.[37]

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In the summer of 2000, two days after the opening of the Camp David Summit, Daniel Reisner, an attorney and officer in the IDF's Military Advocate General Corps, received a phone call from the US president's official retreat. Reisner had been handling the negotiations with the Palestinians since the 1993 Oslo Accords. "We need you here," he was told over the line by Danny Yatom, the security and political chief of staff to

Israeli prime minister Ehud Barak and a member of the Israeli delegation at the summit organized by former US president Bill Clinton.[38]

Only twelve people from each delegation—Israeli and Palestinian—had been allowed into the secluded resort. Dozens of other advisors, including Reisner, had been given accommodations in an adjacent town, where they discussed the subjects that were not defined as core issues. Reisner was responsible for drafting agreements for the Israeli delegation, and thus the invitation for him to enter Camp David elicited optimism from the Israeli reporters covering the summit. "It looks like there will be a deal," reported *Haaretz* the next day.[39]

But once he was inside, Reisner discovered a completely different reality. It quickly became clear to him that on almost every subject—and especially the refugee issue—there was no agreement between the two sides. Another day passed, and then another, and the experienced lawyer understood that there was a vast gulf between the two sides. This was the moment, he recalls, when he told himself, "Houston, we have a problem."[40]

For years, adopting the Western interpretation of Arafat's transformation, Israeli negotiators had bought into the reigning assumption that the Palestinians would concede the right of return in negotiations. The Israelis were genuinely convinced that the Palestinians were using the right of return as a bargaining chip and would ultimately relinquish this demand. In every draft agreement prepared before the summit, Reisner had made an effort to give the Palestinians an honorable way out without permitting a return. A symbolic return to Israel on humanitarian grounds, the Israelis thought, would enable the Palestinians to climb down from the broad principle of return.

Israel's position was that, as part of a peace settlement creating a Palestinian state, Israel would agree to admit partial responsibility for the creation of the refugee problem and contribute toward the necessary economic efforts to compensate and resettle the refugees. The solution for the refugees, under the Israeli plan, was supposed to lie in the future Palestinian state, in the Arab states where they resided at the time, or in third countries. Israel, for its part, would accept a limited number of refugees as a symbolic gesture.

As part of a peace agreement, Israel wanted the PLO—as the representative of the Palestinian people—to declare, in the name of the refugees as well, that it had no more claims against Israel and that the conflict was over. The assumption was that the PLO, as the party negotiating for the Palestinian people as a whole, would naturally take responsibility for Palestinian refugees worldwide and inform them that their home was in the state of Palestine, not Israel. Since at hand was a peace treaty between two peoples, it was important to preclude a situation in which individuals could present the other side with their own individual demands or where either side, after making significant concessions, would be asked to make yet more. It was taken as axiomatic that the Palestinians would agree to such a solution.

This belief that the refugee problem had a solution, which was likely to be found relatively easily in final-status talks, was characteristic of both the international community and the Israeli negotiators in the 1990s. Convinced that the Israeli occupation of the territories was the core of the conflict with the Palestinians, peace advocates and diplomats alike believed that the Palestinians had reconciled themselves with Israel's existence and thus surely understood that millions of refugees would not return there, because that would subvert the national character of the Jewish state. All that remained to be solved, they believed, was the demarcation of borders, security arrangements, and the manner in which Jerusalem would be shared and governed. The issue of the "refugees" was simply dismissed as a nonissue.

Prior to the 1967 war, there was broad consensus in Israel about the existential character of the conflict. It was clear to Israelis that the Arabs were demanding to abolish the state of Israel in any borders whatsoever and seriously expecting all of the refugees to return. But after 1967, the consensus was shaken up as more and more Israelis began to believe that Israel could effectively bargain for peace with the Arabs by making territorial concessions with the land acquired as a result of the 1967 war.

This was precisely the logic behind UN Security Council Resolution 242 of November 1967, which sought to lay the foundations for a future peace settlement between Israel and the Arab states. The basic principle

enshrined in Resolution 242 was "land for peace"—Israel would withdraw from territories captured in the Six-Day War in exchange for a peace treaty with the Arab states. As for the refugees, the resolution only vaguely affirmed the necessity of a "just solution." This resolution, together with Israel's presence in the territories, shifted the Arab–Israeli conflict's center of gravity away from a question of existence—whether the Arabs were capable of accepting the existence of a sovereign Jewish state in any part of the land—to one of territorial compromise.[41] In the years before the Six-Day War, Abba Eban and Golda Meir used the UN plenary session to discuss the refugee problem. After 1967, the issue was swept out of Israeli sight.



Those who have tried to solve the Arab–Israeli conflict since 1967, both in Israel and internationally, have pinned their hopes on the possibility that the Arabs would agree to recognize Israel and establish normal relations with it in exchange for an Israeli withdrawal from territories occupied in the war. After the peace agreements with Egypt, the next moment that they were waiting for seemed to arrive in the early 1990s with the Oslo peace process. The Oslo Accords, signed in 1993 after several difficult years of terrorism and the First Intifada, would never have been reached without a prevailing belief that the Palestinians were interested in self-determination alongside, and not instead of, Israel.

The Israeli negotiators truly believed that the Palestinians had indeed made a strategic decision to divide the land with the Jews, and that their demands were at heart exclusively territorial. "The situation that had prevailed till then," wrote Israeli Ron Pundak, one of the architects of the Oslo Accords, "was a recipe for the perpetuation of the violent conflict with the Palestinians and an escalation in the Arab–Israeli conflict. Years of violent struggle, of indiscriminate Palestinian terror attacks and a humiliating occupation … had worn the sides out." Pundak believed that at the root of the change was "a process of moderation among PLO ranks, and a growing understanding that the conflict must be solved along the lines of two states for two peoples, and not a feeling of unilateral justice or a sense

of ‘it’s all mine.’”[42] Similarly, Deputy Foreign Minister Yossi Beilin later recalled that his basic assumption had been that the conflict was solvable, that there was someone to talk to (the PLO), and that there was something to talk about.[43]

The Oslo Accords dealt at length with such matters as the transfer of authorities and territory and of course mutual recognition between the PLO and Israel, while the refugee problem was deferred for a later date.[44] The Israeli negotiators worked on the assumption that the Palestinians’ acceptance of the principle of partition would, in the context of final-status talks, lead them in a few years to give up on the return of the refugees.

But, in this mood of great optimism and enthusiasm to secure a peace treaty, and in their belief that the Palestinians had reconciled with Israel’s existence, the architects of the Oslo Accords failed to recognize the depth of the refugee problem and the need to take it seriously. By this stage there were already more than three million refugees, most of whom were actually descendants of the original ones, but Israel failed to prepare diplomatically, legally, or strategically for the possibility that the issue would rear its head.

Successive Israeli governments in the 1990s, together with the whole international community, were completely blind to the Palestinian refugee problem and its utter centrality for the Palestinian side. For the Israelis who led and supported these negotiations, it seemed obvious that if the question of borders were solved, and if the Palestinians were to gain sovereignty, they would be satisfied and the refugee problem would take care of itself. UNRWA, which was still officially a temporary agency, was set to vanish naturally once a permanent peace agreement was signed. Therefore, the Israelis believed, there was no reason to make special preparations or to deliberate on the agency’s status. Since the refugee problem was not a real problem, they reasoned UNRWA could not be a real problem, either.

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On the Palestinian side, however, a completely different process unfolded as the time for final-status talks—due to begin five years after the signing of the Oslo Accords in 1993—drew near. Instead of making their peace with the fact that the refugees were not going to return to Israel, the Palestinians

sharpened their rhetoric. The demand for return reared its head, this time with full force. It was precisely then, when it became clear to the Palestinians that Israel was truly prepared to discuss making very significant territorial concessions and that the possibility of having their own state and exercising their right to self-determination was within reach, that Palestinian voices grew louder and louder against making any concessions over the right of return.

The Palestinians chose that time to establish a long line of nongovernmental organizations with the singular objective of putting the refugee problem center stage and signaling to negotiators on both sides that they would not accept a peace treaty that did not guarantee the refugees' return to Israel. The most prominent of these NGOs was BADIL, established in 1998 to rally world opinion in favor of the interests of the refugees. It was joined by others: Aidoun ("We Shall Return") in Lebanon and Syria, refugee committees in Jordan, and the Palestinian Refugee and Diaspora Center (SHAML) in Jerusalem. In 1999, the pro-Palestinian grassroots movement Al-Awda ("Return") was created in North America and Europe, setting up the Palestine Right to Return Coalition, which started organizing protests in September 2000.[45]

The media also began expressing a growing interest in the refugee problem. In the mid-1990s, *The New York Times* ran two or three articles a year on the right of return. In 1996, that number rose to four. In 2000, the newspaper published thirty-six articles on the right of return,[46] a number that continued to rise after the outbreak of the Second Intifada.

In the Arab and Palestinian media, interest in the refugees and return was even more intense. Palestinians held conferences and conducted studies and surveys; the Palestinian press published hundreds of op-eds and whole series of articles about villages and population centers destroyed in the 1948 war. As the time for final-status negotiations approached, many refugees were asked their thoughts on the correct solution. In all these publications and events, one fact stood out: the refugees and their grandchildren had not relinquished their demand to return to their homes. Many said explicitly that if their right to return were recognized, they intended to exercise it.

They were not ready to accept return to their own Palestinian state as a substitute.[47]

Palestinian intellectuals were also party to this process. The late 1990s saw the emergence of broad academic and public activity aimed at bringing the refugee problem back to the heart of the debate. Palestinian spokespeople in the West spoke at length about the refugee problem and brought over delegations to explain that there would be no peace agreement with Israel without return.[48]

The tragic climax of this trajectory was the Palestinian rejection of President Bill Clinton's proposed principles for solving the conflict (the Clinton Parameters), offered in December 23, 2000, after the collapse of the Camp David Summit that summer. Clinton proposed that the refugees be permitted to return to the territory of the Palestinian state that would be established in the West Bank and Gaza Strip, and that Israel could absorb a limited number of refugees, but only if it chose to do so. "The solution will have to be consistent with the two-state approach," wrote Clinton, clarifying that this meant "the state of Palestine as the homeland of the Palestinian people and the state of Israel as the homeland of the Jewish people." In order to accommodate the Palestinians' desires, Clinton explained, the right of return would apply to "historic Palestine" or to the Palestinian "homeland." The refugees and their descendants could therefore exercise their "right of return" in Ramallah and Nablus but not the state of Israel.[49]

Israel accepted the Clinton Parameters. The Palestinians did not.[50] Daniel Reisner, the attorney from the Camp David negotiations, recalled that it was only then that he understood that the Palestinians were insistent on the "right of return" and genuinely wanted the mass return of refugees to Israel. "We had no idea of the Palestinians' [true] desires, their perception of the right of return, and the significance of the whole refugee problem," he says. At one point in the talks, Arafat demanded that the refugees in Lebanon, together with hundreds of thousands of their descendants, be allowed to return to Israel. "Members of the Israeli delegation asked themselves: is he serious? Those who hate us the most, in the camps of Sabra and Shatila—these are the people he wants us to return? Does he

really think this is on the table?" Ehud Barak later compared the distance between the two sides' positions to a gaping chasm above a vast canyon: a short distance, but an extremely deep gulf. Barak recalled that when Arafat understood that he would have to relinquish the right of return in the form he had been promoting for years, he flatly refused.[51]

An internal Palestinian document written a short time after the collapse of the summit explained at length the reasons for the rejection of the Clinton Parameters. Its most detailed discussion concerned the refugee problem. The memo said that "there is no historical precedent for a people abandoning their fundamental right to return to their home" and that the Palestinians "will not be the first people to do so," ignoring the fact that there was no such right, and that if anything, historical precedents from the 1940s teach us the exact opposite: namely, that people moved on with their lives, as noted earlier in the book.[52]

The memo also stated that the Palestinians were demanding to return to "their homes," and not "their homeland"—clarifying beyond doubt that the Palestinian demand was to return to Israel and not to the proposed Palestinian state. And if that wasn't clear enough, they wrote in the memo that they "cannot accept for the Palestinian state to be defined as 'the homeland of the Palestinian people'" because "this nullifies the right of return." This was the clearest indication that for the Palestinians, if the price of having a Palestinian state in part of the land was to forgo their demand for the entirety of the land, their choice, as indeed it was exercised by their leader, is to reject it.[53]

The memo said resolutely, "Recognition of the right of return and the provision of choice to the refugees is a prerequisite for the closure of the conflict." The one article that Israel could absolutely not agree to, as it entailed its very suicide, was the one without which the conflict would never end.

This instructive admission ran counter to the peace efforts supported by the whole international community, which were based on the principle of two states for two peoples. The Palestinians explained in the clearest possible terms that they would not limit the territory in which they would

exercise their right of return, making it unmistakable, as they did in 1947, that they did not recognize the principle of territorial partition.[54]

At the same time, in the first week of January 2001, Fatah's official magazine published a detailed explanation of the rejection of the Clinton Parameters: the Palestinians had already compromised over territory, but the right of return was sacred and nonnegotiable. "The issue of the refugees is the core of the Arab–Israeli conflict," it argued, noting that the refugees had rights and opposed resettlement in Arab countries. The refugees would not relinquish their "right to return" to Israel, and since the Clinton Parameters did not include this option, they were unacceptable. In order to underline that the Palestinians really did expect a mass return of refugees to the state of Israel, the article cited Israel's absorption of one million Jewish immigrants from the former Soviet Union in the 1990s, arguing that if Israel had the capability to absorb so many Jewish immigrants, it could absorb the Palestinians, too.[55] In doing so, the article pretended that the question of Palestinian return was merely one of a neutral "absorption capacity," rather than one that went to the core question of the Arab refusal to accept the sovereign right of the Jews to their own state.

To avoid any doubt, the article in the official magazine explained that a failure to recognize the right of return would mean continuing the struggle indefinitely and precluding any possibility of coexistence between Israelis and Palestinians. In a rather revealing sentence, the article also stated that the mass return of refugees would "help Jews get rid of the racist Zionism that wants to impose their permanent isolation from the rest of the world." The Palestinians were making it clear that the exercise of the right of return would change Israel's character, terminating its nature as the nation-state of the Jewish people.[56] In that, the Palestinians were presenting themselves as the kind doctors offering euthanasia for a patient who wishes to live.

* * *

That which the Palestinians claimed to have wanted—to end Israel's military occupation of the West Bank and Gaza and have a state of their own—was now within their grasp. Yet, they walked away from that opportunity, exhibiting no remorse, with no op-eds lamenting the lost

opportunity, no Palestinians challenging Arafat's decision, and no NGOs established to ensure that such an opportunity would not be missed again. The Palestinians, fully and consciously, made it clear that if a right of return to Israel would not be granted to each and every person of the millions who claimed that right, there would be no deal.

One might have assumed that the Palestinian leadership's rejection of the Clinton Parameters would lead the international community to conduct some serious soul-searching. The dramatic failure of everything they had believed in should have led diplomats and policymakers to reexamine their basic assumptions about the nature of the conflict. After it became clear that the Palestinians were indeed insisting on recognition of their right of return, and genuinely wanted refugees to return to the territory of the state of Israel, one could have expected more serious examination both in Israel and abroad of the refugee problem as a key issue in the Arab–Israeli conflict.

But none of this happened. Ignoring what at this point had become ample evidence of the centrality of the refugee problem, and looking past the Palestinians' most explicit statements while jumping onto their most tenuous remarks, there developed in the West, and even to some degree in certain circles in Israel, a system of excuses geared at explaining that the Palestinians had effectively renounced their demand for return—a phenomenon introduced in this book with the new term "Westplaining." The Palestinians might not have said so explicitly, and pretty much said everything to the contrary, said the apologists, but those were just "words," and somehow the Palestinians magically "understood" that in practice there would be no mass return to Israeli territory.

The ideological basis for this approach was outlined by none other than Yasser Arafat. In an article published in *The New York Times* in February 2002, Arafat spelled out his vision for a settlement with Israel, introducing several terms that to this day feature prominently in the conversation. "Now is the time," wrote Arafat, "for the Palestinians to state clearly, and for the world to hear clearly, the Palestinian vision." At the core of the article, Arafat laid out two central demands—the establishment of a Palestinian state and the return of the refugees to Israel. The status of Jerusalem was mentioned in just one sentence.[57]

In the op-ed, Arafat asked for a “fair and just solution to the plight of Palestinian refugees,” who had been prevented for decades from returning to “their homes.” No peace treaty between Israel and the Palestinians would be possible, warned Arafat, if “the legitimate rights” of ordinary Palestinians were not taken into account. Without a solution, Arafat said, the refugee problem would destabilize any permanent Israeli–Palestinian settlement: how could anyone explain to the Palestinian refugees that they would not be given the option of “returning,” when Afghans, Kosovars, and East Timorese had been afforded this choice? Arafat ignored the fact that these returns were not made in opposition to the will of the receiving country, and that these were not a result of any legal obligation.

Arafat also claimed that the return of the refugees was a right guaranteed by international law (which it is not) and Resolution 194 (which it is not). With a sleight of hand, Arafat then said that the Palestinians understood Israel’s “demographic concerns” and knew that this return “must be implemented in a way that takes into account such concerns.” The Palestinians, he explained, had to be realistic with respect to Israel’s demographic desires.[58]

This op-ed yet again perfectly exemplifies Arafat’s and the Palestinians’ strategy of using terms and phrases that imply moderation to Western ears, while not actually moderating their position. Many took the phrase “takes into account [Israel’s demographic] concerns” as Palestinians essentially understanding that there would be no mass return. Others claimed that Palestinian discourse was unmistakably mollified on the right of return, and that whereas it used to be comprehensive and absolute, it now sounded considerably more qualified.[59]

Many also seized on the fact that Arafat was talking of a “just” and “agreed” solution to the refugee problem (wording used by the Arab Peace Initiative of 2002 as well). According to this interpretation, if the Palestinians themselves were talking about an agreed-upon solution, knowing that Israel would never agree to a mass return, then between the lines this had to be effectively a concession on the right of return.

Each of these claims deserves to be evaluated separately and in detail.

Consider first the term “just.” The renowned Middle East expert Yehoshafat Harkabi has demonstrated that this term has a special meaning in the Arab lexicon and that the phrase “just solution” has an ancient pedigree. When Soviet leader Nikita Khrushchev visited Port Said in the 1960s and spoke of a “just solution for the Palestine question,” for example, an Egyptian newspaper interpreted his remarks as such: “The people of Port Said are well aware that a just solution to the problem of Palestine means the restoration of Palestine to the Arabs and the resettlement of all the refugees in their plundered homeland.” When foreigners use the term “just solution,” Arabs generally understand it as support for a stance that rejects Israel’s existence.[60]

Egypt’s President Nasser also used to speak of his desire for “a peace based on justice”—of the kind that would reign after Israel disappeared. In this context, a “just solution” means the opposite of a solution based on a status quo that keeps Israel in place. Recall that, in Arab eyes, the state of Israel’s establishment is considered an unparalleled injustice and a crime, which can only properly be remedied through Israel’s elimination. So when an eighty-year-old refugee from the Ain al-Hilweh camp in Lebanon heard Arab leaders such as Arafat talking about a “*just* solution to the refugee problem” (our emphasis), she understood this as meaning the return of the refugees and the establishment of an Arab state in lieu of Israel.[61]

The word “agreed” is also highly misleading, because it seems to imply quite clearly a concession on the demand of return. To understand how Palestinians interpret this term, consider a television broadcast on Qatari news network Al Jazeera in the late 1990s, in which a woman from Amman, born to a refugee family from Jaffa, is asked her opinion about the refugees. The woman answers that Arafat is not her lawyer and that she never gave him power of attorney to negotiate over her family’s property in Jaffa in her name. “If Arafat wants, he can give up his own father’s house,” she retorts. “He cannot give up my father’s house.”[62]

This has also been the position of the Palestinian leadership: the right of return is a personal right reserved to each and every one of the millions of refugees and their descendants, and no one may renounce it in their name. Even if the PLO were to agree in a peace treaty to the return of an “agreed

number"—perhaps thousands or tens of thousands—this would not be the end of it. Palestinians would still believe that each and every one of the millions of refugees had a right to return to Israel. PLO chairman Mahmoud Abbas has said as much on numerous occasions. In November 2012, he said in an Israeli television interview that he did not personally want to return to Safed, but he clarified a few days later that this did not prejudice the rights of other refugees. "This is a personal decision," he explained. "Nobody can concede the Palestinians' right of return in their name."[63]

So the statements made by Arafat and Abbas and many other Palestinians were contradictory. If each Palestinian refugee possesses a right of return, and the right is "inalienable" and "just" and stands always, as rights cannot be negotiated away, and is a "prerequisite," there is absolutely no way to collectively and definitely commit that it would only be implemented in a limited way. If Israel agreed to a certain number, it could never be assured that it was the final one. Circumstances change, and even if one makes the casual assumption that only a few refugees would want to exercise the "right" at a certain moment, there is no guarantee that this would not change. As soon as one designates return as an "inalienable right," Israel's sovereignty is permanently jeopardized and the conflict could never come to a close. But those wishing to believe—despite Arafat's clear insistence that there is a right of return for millions of "refugees," and that it should be recognized as such in any agreement—that peace was still possible, chose to ignore this obvious contradiction.

What Arafat and Abbas actually meant was that the PLO and Israel would agree on a certain number of refugees to return to Israel without taking away the "rights" of all the rest. They in turn would be able to then ask to fulfill their "right," whether in Israeli or international courts, or simply by walking to the border, as they have done recently in the Great March of Return in Gaza.[64] Israel would then have to deal with them alone.

This is also why, whenever the sides agreed in previous rounds of talks for Israel to repatriate a limited number of refugees, the Palestinians refused to sign any declaration that they had no further claims against Israel, which would mean there was no right of return for the remaining refugees. In 2008, after intensive rounds of negotiations, the Palestinians, this time led

by President Mahmoud Abbas, again walked away from the chance to establish a Palestinian state. They were in a position to end the occupation and have a Palestinian state on effectively 100 percent of the territory of the West Bank and Gaza, with no settlements at all in the Palestinian state; a capital in East Jerusalem; and five thousand refugees who, over five years, would be allowed to settle inside the sovereign state of Israel.[65] The deal breaker was again the right of return. Indeed, when Secretary of State Condoleezza Rice sketched out the details of Israeli prime minister Ehud Olmert's proposal to Abbas in May 2008, his response was: "I can't tell four million Palestinians that only five thousand of them can go home."[66]

Abbas, like Arafat before him, never made any effort to prepare his people for the fact that there would be no return and the fact that they possessed no such "right." As a result, again, there were no indications of remorse among Palestinians, no criticism of Abbas, no op-eds saying that this was a great opportunity that should have been grabbed with both hands, and no NGOs established to help Palestinians move on from the fixation on return.

While all of these positions were clearly available to all who followed the statements of the Palestinian leaders and did not attempt to "Westplain" them away, the fact that even during the negotiations the Palestinians did not have the intention, even for one moment, to reach a true compromise was revealed in one major leak to the media a few years ago, which exposed the secret thoughts of PLO officials.

* * *

In early 2011, some 1,700 original documents were leaked from the office of chief Palestinian negotiator Saeb Erekat and published online by *Al Jazeera*. It was truly explosive material. The documents, known as the Palestine Papers, were internal, primarily English-language Palestinian Authority (PA) memos and other papers, which document a decade of peace negotiations with Israel. Many of the documents were written by members of the Palestinian Negotiations Support Unit, which provided political and legal advice to the Palestinian negotiators, and worked on formulating the Palestinians' official positions. Palestinian officials have never disputed the

authenticity of the documents, nor have they tried to claim that they are forged or fabricated.[67]

Published contemporaneously with the Palestine Papers were several commentaries on them both from *Al Jazeera* and the British left-leaning daily newspaper *The Guardian*. According to *Al Jazeera*, the papers revealed the "compromises the Palestinian Authority was prepared to make on refugees and the right of return."[68] *The Guardian* echoed this, stating that Palestinian negotiators "agreed that only 10,000 refugees and their families, out of a total refugee population exceeding 5 million, could return to Israel as part of a peace settlement."[69]

However, a careful and exhaustive review of the actual documents revealed that the reverse was true and that the Palestinian leadership considers the issue of refugee rights as central to the resolution of the conflict with Israel.[70]

Palestinian negotiators and leaders always spoke of the "right of return" as a matter of individual choice, which would have to be extended to each of over seven million "refugees."[71] A presentation from 2009, for example, notes that any solution "must … reflect refugee choice," meaning it should be out of the hands of the negotiators: any refugee who wants to return had to be allowed to do so. Another document writes: "The right of return is in essence a right of choice. The Palestinian refugees expect an agreement to honor their right to choose whether to return to their original country or resettle elsewhere."[72]

The Palestine Papers state over and over again that "the solution should dispense individual justice" based on the refugees' free choice. A memo prepared ahead of a meeting with Israeli negotiator Tal Becker in 2008 says that "the PLO will pursue the recognition of all refugees' rights and their satisfaction with particular care, especially since these are *individual rights*" (our emphasis). The same year, a Palestinian proposal on the refugee issue stated that the refugees should be resettled "*in their chosen destination* (Israel, Palestine, third countries)" (our emphasis).[73]

Moreover, the Palestinian Authority hired outside experts to conduct an "Absorption Capacity" demographic study, which supposedly proved that Israel had the demographic capacity to absorb very large numbers of

Palestinian refugees while still retaining its Jewish majority.[74] Based on this study, the PA anticipated the potential return of millions of Palestinians to the state of Israel, with Palestinians retaining the open-ended right to try to negotiate additional "returns" beyond any number initially agreed upon in a peace treaty.[75]

A secret document from April 2008 stated explicitly that the objective of the study was "to provide the Palestinian leadership with a scientific approach of the issue which could support their position in the debate over the returns to Israel. In other words, the purpose … is to set a rational analysis supporting Palestinian demands for the return of refugees, in consideration of Israel's past immigration history and absorption capacities."[76]

The study was conducted in 2008 by Youssef Courbage, an expert from the French Institute for Demographic Studies. He examined three possible return scenarios—between hundreds of thousands and two million returnees to Israel—and tried to demonstrate that in each scenario, the Jews would still remain a majority in the state of Israel. In the first scenario, 41,000 refugees would be allowed to return each year for fifteen years (between 2013 and 2028), for a total of 615,000 refugees. In the second, 38,000 refugees would be permitted to return each year over the same period, for a total of 570,000 refugees. And in the final scenario, some two million refugees would seek to return to Israel.[77]

The purpose of the study was to show that even if hundreds of thousands of Palestinians came to Israel, they would be unable to threaten the country's Jewish majority. The study argued that even if two million refugees returned, the proportion of Palestinians in Israel in 2058 would reach only 36 percent, with the Jews still constituting a majority. The number of incoming refugees in the first and second scenarios was based on an average of Jewish immigration levels at various times: the first from 1948 to 2007, when Israel absorbed 41,000 Jewish immigrants per year, and the second from 1996 to 2007, when it welcomed 38,000 per year. Israel experienced mass immigration in these years, and the Palestinians tried to argue that if Israel could absorb such high numbers of Jewish immigrants, it could equally absorb the same number of Palestinian refugees.

The major significance of the study, reported here for the first time, is that it presents a highly detailed assessment of the Palestinians' true feelings about the return of refugees to Israel and that the large-scale return the Palestinians want is very large indeed: the two-million figure is the Palestinians' assessment of the number of refugees who would want to return to Israel if they are given the choice. The papers also reveal that the assessments in the study were the basis for the Arab demands in negotiations with Israel.[78]

The study thereby elucidates the seemingly innocuous phrase "takes account of such concerns." Coined by Yasser Arafat in his *New York Times* op-ed, it has been interpreted as meaning that the Palestinians would be satisfied with a symbolic gesture from Israel, such as the return of a few thousand refugees. But that is not the case: when Palestinians use this phrase, they mean the return of hundreds of thousands or millions. Another memo from 2008 suggests that the Palestinians demand the return of one million refugees.[79]



This was not the final word. What the Palestinians see in their mind's eye is effectively an unlimited return. The documents reveal that the Palestinians demand that an agreed quota of refugees be allowed to enter Israel every year for an agreed number of years. But the Palestinians are also demanding that after this period, it should still be possible to continue a process of return with both sides' consent. The Palestinians, that is, do not see the first stage of return as the end of the matter and intend to demand from Israel a further return in stage two.[80]

One of the documents, for example, says that a peace treaty should permit an agreed number of refugees to return over a period of fifteen years, after which both sides could agree on an additional number of returnees. The phrasing, while seemingly innocent and unproblematic, contains the inbuilt possibility of repeatedly reopening the refugee issue. In this scenario, the Palestinians would be able to seek the return of more refugees after the agreed-upon fifteen years. If Israel refused, the Palestinians could renew their demands, declaring that the problem had not been solved and

that the conflict was still on. They would thus be able to perpetuate the conflict and leave it unresolved in perpetuity unless Israel ultimately agreed to the return of potentially an infinite number of refugees.[81]

The combination of these two factors—the demand to recognize the individual right of every diaspora Palestinian to return to Israel, and the possibility of reopening the agreements after fifteen years—also reveals the truth about the seemingly innocuous phrase "agreed solution for the refugee problem." It means that even if the PLO agrees with Israel on a certain, relatively low number of refugees who would return to Israel, every individual refugee could still demand to return to Israel, and the PLO and the state of Palestine would be freed from taking responsibility for their fate.

The Palestinians are so serious about the right of return that they are unwilling to countenance phrases and formulations that might jeopardize it. They depict the term "two states for two peoples" as a threat to the realization of their demand to return and the concession over their right to self-determination within the borders of the state of Israel. In a memorandum for Saeb Erekat on May 3, 2009, for example, the negotiating team writes that:

> Reference to the right of the two peoples to self-determination in two states may have an adverse impact on refugee rights, namely the right of return, as it suggests that the Palestinian refugees will only be able to exercise their right of return in conjunction with their right to self-determination. Further, a recognition of the principle of two states for two peoples as a solution to the Israeli-Palestinian conflict confirms that *the PLO no longer envisages Palestinian self-determination within the territory of the state of Israel* [our emphasis]. Accordingly, the implementation of the right of return of the Palestinian refugees is likely to be realized only in the context of the establishment of a Palestinian state alongside Israel.[82]

The Palestinian negotiating team explained in another memorandum dated November 2007 that recognizing Israel as a Jewish state "would

likely be treated as … an implicit waiver of the right of return" and "would undermine the legal rights of the refugees." Another document from June 2008, which makes recommendations on the refugee issue, notes that the formulation "'two states for two peoples' implies no return from [*sic*] refugees to Israel." And a document from May 2009 states that as far as concerns refugee rights and Israel's responsibility for the creation of the Palestinian refugee problem, "referring to 'two states for two peoples' … embodies similar risks to those associated with the recognition of Israel as the state of the Jewish people."[83]

In this, the Palestinian Negotiations Support Unit acknowledged that its refusal to accept the formulation of "two states for two peoples" was because the PLO itself rejected this principle and was not prepared to make do with just one Arab state between the river and the sea. Members of the negotiating team proposed to Saeb Erekat to replace the phrase "two states for two peoples" with the phrase "two states living side-by-side in peace." From monitoring Palestinian statements, we can see that this is indeed their favored expression. While this formulation may sound innocuous and even peace-loving to foreign observers, in reality it attests to the extent of the Palestinians' opposition to the existence of a Jewish state.[84]

The Palestine Papers also show that the Palestinians read both the UN General Assembly Resolution 194 and the Arab Peace Initiative as affirming their right of return. Members of the Palestinian Negotiations Support Unit wrote to Saeb Erekat in March 2008 that "if Israelis oppose an explicit reference to the right of return in the peace agreement, reference to … Resolution 194 could be used as an indirect mention of the right of return. This resolution is in fact an affirmation of Palestinian refugees' right of return." It is clear from another internal memo from 2002, in which Palestinian officials made comments on the wording of the Arab Peace Initiative, that they believe the initiative supports their demand for return.[85]

What explains these creative formulations, which could be understood in both the West and in Israel as an effective concession, while from an internal Arab perspective they are not? Most probably, the Palestinians know that publicly insisting on a mass return of refugees to Israel would be

poorly received in the West, which understands that this threatens Israel's character as the nation-state of the Jewish people.

An example of this sort of deliberate use of inventive formulations can be found in a document from 2008, in which the Negotiations Support Unit explains in black and white the meaning of the expression "an agreed solution to the refugee issue." "Only specify the formula by which an agreed solution will be achieved in the Treaty," it recommends. "This approach is obviously the best political strategic option for the Palestinians, as it does not require relinquishing the option of return for millions of Palestinians."[86] This is a clear and unambiguous admission that what the West understands as a veto power to Israel over the return of refugees is no such thing, and that when Palestinians say "agreed solution" they don't mean giving up on massive refugee return.

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To their own people, who are free from the constraints of diplomacy and Western politeness, Palestinian officials speak much more clearly. An International Crisis Group (ICG) field study in the West Bank and Gaza Strip in 2014, for example, discovered that an absolute majority of Palestinians in the territories would reject any accord that did not guarantee the right of the refugees and their millions of descendants to decide whether they wanted to return to Israel. An advisor to Mahmoud Abbas told the report's authors that "even with large concessions from Israel, Palestinians will not accept an agreement that does not provide refugees with the choice of where to relocate, including to Israel."[87]

The ICG rapporteurs heard harsher remarks in the cities and refugee camps. Many Palestinians predicted an outbreak of violence if the Palestinian leadership were to compromise on the matter. A local leader in the Qalandiya camp said in an interview that Mahmoud Abbas "won't be able to set foot in Palestine" if he relinquishes this demand; there was no shortage of interviewees who supported assassinating the Palestinian leadership if it ever conceded on the refugee issue.

The report's authors criticized the international community for not paying the requisite attention to the Palestinians' demands and treating

them as mere lip service. This was a dangerous illusion, the report concluded, and far from the truth: the refugee issue stood at the heart of the Palestinian narrative, and the Palestinian leadership could never achieve support for an accord without support from the refugees.

Journalists who visit the refugee camps and ask the residents their views hear similar extreme remarks. In July 2010, for example, *The New York Times* published an in-depth report on the Gaza Strip. The reporters wrote: “Ask Gazans how to solve the Palestinian-Israeli conflict—two states? One state?—and the answer is mostly a reflexive call to drive Israel out.” “All the land is ours,” says Ramzi, a schoolteacher from Rafah, expressing a very common view: “We should turn the Jews into refugees and then let the international community take care of them.”[88]

Israeli Channel 10 reporter Hezi Simantov visited several refugee camps in 2015 to explore the attitude of refugees and their second-, third-, and fourth-generation descendants toward the conflict with Israel. He met a boy named Jihad in the Dheisheh camp who told him with absolute confidence that he “wants to return” to Israel. Another resident of the camp, asked what should be done to Jews in Tel Aviv, answered: “They should go back to the countries they came from, because the land is my land and my forefathers’ land.” At a gathering in the Jenin refugee camp to celebrate the release of a Fatah prisoner from Israeli jail, a PA security official said that everyone’s common mission was to return to their original towns, “on the lands that were occupied in 1948.” “We will not give up on this,” he vowed. Muhammed Laham, a Palestinian Fatah legislator, told Simantov that he wanted the right to return. “We no longer want to throw the Jews in the sea,” he reassured him, but “to live together”—that is, in one state, with no right of self-determination for the Jews.[89]



More than thirty years have passed since the Palestinians supposedly renounced their ambitions for the entirety of the land in 1988. More than twenty-five years have passed since direct negotiations for peace between Israelis and Palestinians began in 1993. Multiple rounds of negotiations failed to yield an agreement, and no Palestinian “yes” to any proposal has

been forthcoming. If the Palestinians had truly renounced their claims for all of the land, why was there no peace? What was taking so long? After all, when Egyptian president Anwar Sadat gave his speech in the Knesset in 1977 stating clearly and in no uncertain terms his desire to make peace with Israel, peace was negotiated within two years, and the Sinai Peninsula was handed over within another two years, without the settlements, which were forcefully evacuated.

The answer is simple: peace has not yet been achieved because the Palestinians have yet to renounce their demand for an exclusive Arab Palestine "from the River to the Sea"—a demand most evident in their continued refusal to agree to any language, any formulation, and certainly any agreement that would undermine and foreclose the Palestinian demand for return to the sovereign state of Israel. A true Palestinian reckoning with the notion that the Jewish people, as a people and a nation, possess a right, no less than them, to self-determination in the land that both peoples call home, is yet to take place.

So what should peacemakers do? How should people devoted to the cause of peace between Israelis and Palestinians proceed to ensure that a future round of negotiations would actually lead to peace? Effective peacemaking would require a complete reversal of the reigning paradigms that have governed negotiations in past decades. Rather than leave issues for "final-status" talks, allowing them to continue ballooning, it is imperative to begin removing obstacles on the path to peace. Rather than forcing the sides to negotiate, it is far more important to ensure that when they do eventually negotiate, it will actually yield a peace agreement, rather than a bloody terror campaign. And the one obstacle that has been continuously overlooked, and underestimated, has been the Palestinian demand to return and the Western-funded organization—UNRWA—that fuels that demand.

CONCLUSION: MOVING FORWARD

NUMBER OF REGISTERED REFUGEES (2019): 5,442,947[1]

THE PATH TO PEACE

If there is to be peace, war must end.

After more than seven decades of war, waged across different arenas and using various means, the time has come for the international community to acknowledge that the Palestinian vision of exclusive Arab land in all of the territory from the Jordan to the Mediterranean is real, and that no peace will be possible before this vision is replaced with one that does not negate Jewish self-determination.

In the long war against Jewish sovereignty, layer after layer was placed to create an entire infrastructure designed to keep the long war going until the final, albeit delayed, Arab and Palestinian triumph. When actual violent war and invading armies failed to achieve that end, other means, such as economic boycotts, terrorism, and diplomatic and legal maneuvers were deployed, but the principle remained the same: the war continues.

Ending that long war in a way that does not necessitate the end of Israel requires, therefore, dismantling the various elements that were placed to keep it going. One of the key elements deployed in the service of continuing the war was the creation of ongoing "refugeehood," where generation after generation, regardless of specific circumstances, considers itself, and is internationally legitimized, as refugees from that war.

The Palestinians' commitment to the idea that they are still refugees and also possess a right of return to the state of Israel is deeply embedded in the

Palestinian identity and its collective ethos. It is an issue on which no Palestinian political opposition or dissent exists. There are no op-eds, no speeches, no NGOs in Palestinian society taking a position against the Palestinian ethos of return. While Palestinians do differ as to the best way to achieve that goal—one state with return, two states with return, or an armed struggle for return—there are no Palestinians calling upon their own people to move on from that demand. None are telling their people to do what hundreds of millions of refugees all over the world have done, even after vicious wars and displacements—move on to build new lives.

Yet numerous Western diplomats, peacemakers, and politicians refuse, despite overwhelming evidence, to take the Palestinian demand of return seriously. They argue that the Palestinians somehow *know* they will not return and are only using the demand for return as a bargaining chip for final-status negotiations. But Palestinian return is not a bargaining chip in the service of a greater goal of independence and statehood. It *is* actually the greater goal itself. If return were truly just a bargaining chip, it could have and would have been bargained long ago for a Palestinian state. Rather, it is a Palestinian state that is repeatedly bargained away in order to keep fighting for return. Palestinians have constantly rejected any formulation, agreement, or settlement that might foreclose this option of return, even at the price of statehood.

There is no evidence that Palestinians "know" they will not return. Quite the contrary, there is abundant evidence that they are very serious about returning.[2] Again and again, whenever Palestinians faced the choice of having a state of their own in part of the land, but in so doing accepting that the Jewish people would have their own state in the other part, they have made a conscious and deliberate choice to keep fighting for a vision in which there is no state for the Jewish people in any part of the land.

To claim that Palestinians "know" they are not returning is to engage in "Westplaining," which, much like "mansplaining," demonstrates a paternalistic, even neocolonial, attitude that refuses to take Palestinians at their word. Westplaining is about failing to treat the Palestinians as active agents who know full well what they are fighting for. Moreover, Palestinians are actually quite rational in their continued demand for return.

Their demands are not necessarily delusions or fantasies. They live in a region, which, ever since the successful Arab conquests of the seventh century, is Arab and almost exclusively Muslim. Palestinians need take only one look at the demographic map, observing several million Jews struggling to survive in the midst of hundreds of millions Arabs and over a billion Muslims, the vast majority of whom remain hostile to Israel, to conclude that Jewish sovereignty is deeply vulnerable. From the Palestinian perspective, full return might take another generation, even two or more, but there is no need to compromise in the interim. With sufficient patience, Palestinians, as a collective, expect to outlive the "temporary Zionist experiment" and reclaim the land, which to them is exclusively theirs.

It is not by coincidence, therefore, that seventy years after the war that created the Palestinian refugee problem there exists the problem of the perpetuation of the Palestinian refugee problem. This situation, with no historical precedent or international parallel, in which more than five million people are registered by a still-temporary UN agency as refugees from a war that ended seventy years ago, is the outcome of deliberate choices in the service of a clear goal: continuing the war. The war that was started to prevent the implementation of the UN partition plan and the birth and consolidation of a Jewish state in part of the land has yet to end.

The refugee problem was deliberately allowed to balloon for several decades in the service of continuing this long war. It was not by chance that after the war ended in 1949, the only option that the Arab states would countenance was the full return of the refugees. It was not by chance that in the 1950s the Arab states and the refugees themselves violently rejected any possibility of rehabilitation. Nor was it by chance that in the 1960s (even before the 1967 war and Israel's military occupation of the territories) the refugee camps developed a culture of violent struggle against Israel for the complete liberation of Palestine from the Jordan River to the Mediterranean Sea. And it was not by chance that during what Western negotiators thought were serious peace talks, the Palestinians walked away from the chance for a negotiated two-state solution because it did not contain the principle of return.

At no stage in the Israeli–Palestinian conflict has the problem been lack of creativity or goodwill from Western states. Neither was the problem—beginning with the 1947 partition plan through Camp David and the Clinton Parameters up to the Olmert proposal—a refusal on Israel's part to support compromise and partition. Even today, after years of Palestinians walking away from repeated peace offers and years of brutal terrorism, if the Jewish citizens of Israel sensed that a two-state solution and real peace that ended the conflict once and for all were possible, a majority of them would be convinced to support it.

The perpetuation of the Palestinian refugee problem and the associated demand for return has been, and remains, the most glaring symptom of the Palestinian refusal to recognize the right of the Jewish people to an equal measure of sovereignty over their own historic homeland. The resolution of the conflict therefore lies not simply in finding technical solutions to matters of borders, settlements, security, and even Jerusalem—but primarily in getting the Arab world, and specifically the Palestinians, to accept the rightful exercise of sovereignty by Jews in their midst, recognizing that there will be no Palestinian return to the state of Israel.

The international community needs to openly acknowledge that this is the underlying Palestinian assumption and then decide whether to acquiesce to it or counter it, but it cannot continue to ignore its centrality. Only when the international community grapples with the centrality of this issue clearly and directly might there be a chance to end the conflict and bring peace. But so long as foreign diplomats, officials, and politicians working on peace cling to the illusion that the Palestinian refugee issue is just another, even marginal, final-status issue, compared with the questions of borders, settlements, and security, there will be no solution. It is completely misguided to believe that, inasmuch as concerns the refugee problem, a permanent settlement hinges on finding creative formulations to allow the Palestinians to "climb down from the tree," as if they had climbed up the tree unconsciously or by accident.

One possible reason for this continued blindness and naïveté is that a certain paradigm took root during the decades of talks and discussions toward a final settlement, and certainly since the Madrid Conference and

the Oslo peace process of the 1990s. Under this paradigm, achieving peace requires "constructive ambiguity." That is, the sides must sign an agreement whose wording concerning the core issues of the conflict is deliberately ambiguous, because the most important thing is the signing of an agreement and not its details. Politician Shimon Peres coined the famous aphorism that peace, like love, "should be made with eyes partly shut." But this squinting has not led to a peace agreement. Rather, it has enabled the Palestinians to present to the outside world that they have accepted the two-state solution and recognized the state of Israel, without actually ever agreeing to any formulation that would allow for a two-state solution by negating the demand for return.

The Palestinians and Arab states devised such expressions as "a just and agreed solution to the refugee problem," which sound appealing, but actually retain the demand for return while concealing this fact from the West. Even the Arab Peace Initiative, which was welcomed enthusiastically in the West, continues the existing model of combining a demand for an Israeli withdrawal to the 1967 lines with a thinly disguised demand for return under the coded phrasing of a "just solution to the problem of Palestinian refugees to be agreed upon in accordance with the UN General Assembly Resolution 194." That is, this initiative also continues the longstanding tradition of backing a solution of two Arab states on either side of the pre-1967 line—an Arab state in the West Bank and Gaza, and another Arab state, with a Jewish minority at best, to replace Israel.[3]

If Western countries and leaders think the land should be exclusively Arab and that Jews should just go back to their former status as a minority that "knows its place," it would be very unfortunate for the Jews, but at least Jews, Israelis, and their supporters would know where they stand. But if Western countries do genuinely support, as they claim to do, a sovereign state for the Jewish people in part of the land and seek to end the long war and attain peace, then they need to take serious, sustained steps to counter the Palestinian demand for all of the land.

If Western countries want there to be even a small chance that one day a Palestinian leader will emerge who will tell his or her own people, clearly and unequivocally, as Nobel Peace Prize laureate Willy Brandt told the

German refugees from Eastern Europe about the territories from which they were brutally expelled after WWII, that these territories "have been gambled away long ago," and that they "must look to the future" because returning there constitutes an "unrealizable claim" and that in doing so they are "pursuing a policy not of surrender but of common sense," then Western countries need to cease sustaining the current Palestinian ethos.[4] There is certainly no guarantee that if the West ceases to sustain this Palestinian vision, such a leader would emerge. Undoubtedly it would take time, as return is deeply embedded in the Palestinian ethos and identity, but at the very least a course that could lead to his or her emergence would be set, and the chances of it happening would be greater than they are today.

To that end, the West needs to craft a clear message and ensure that all its policies and actions are aligned with it. There can be no legitimacy, no support, and no fuel given to the Palestinian demand for return; only full legitimacy, support, and fuel for a moderate Palestinian vision that does not entail the erasing of Israel under any guise.

NO RIGHT OF RETURN

One of the greatest sources of sustenance to the Palestinian attachment to return is their mistaken impression that they actually possess a right of return enshrined in international law. Palestinians possess other rights, but they do not possess that one. Therefore, the first step that needs to be undertaken by countries and professionals dedicated to true peace is to send a clear and unequivocal message to Palestinians that they do not possess a right of return to the sovereign state of Israel. There should be no ambiguity or leeway in that message.

There is no international law that requires Israel to allow Palestinian refugees and their descendants to return to Israel.[5] In addition, no treaties or binding UN resolutions were violated by Israel's expulsion of Palestinians during the 1948 conflict and none provide a right of return for Palestinian refugees.[6]

Refugee status in itself does not entail a right to return to one's original country. The major treaty on refugees, the Refugee Convention of 1951,

and its 1967 UN Protocol Relating to the Status of Refugees, does not even address the issue of repatriation.[7] It is primarily concerned with preventing the forced return of refugees to their state of origin (refoulement) and guaranteeing their rights in the state to which they fled. The convention promised its signatories the right to decide which refugees, if any, would be allowed to settle in their territories.[8]

In other areas of international law, such as immigration and nationality law, that the Palestinians claim include binding legal requirements from Israel, the question of who will enter a country's borders and be deemed a citizen is viewed as a domestic, sovereign prerogative.[9]

To the extent that the Palestinians rely on recent legal treaties, declarations, and state practices to support their right of return, they ignore the fact that nonretroactivity is a default rule of treaty interpretation. Legal rights stemming from actions in the 1940s cannot be based on international treaties ratified later in the twentieth century.[10]

Perhaps realizing the weakness of their claims under international law, proponents of a Palestinian right of return increasingly rely on so-called "soft law," such as nonbinding political statements in international forums —primarily the UN General Assembly—or on the pronouncements of international commissions or conferences. However, these sources do not constitute binding law. Such an example is the Universal Declaration of Human Rights from 1948, whose nonbinding, nonlegal nature was stressed repeatedly in the UN debates prior to voting.[11] Another example is the reliance on General Assembly Resolution 194, which is a nonbinding resolution by its nature.

Arab and Muslim states, which are some of the chief proponents of the theory that international law *does* require the return of Palestinian refugees to Israel, have at the same time refused to agree to minimal international standards regarding the general treatment of refugees, and have denied Palestinian refugees who reside in their countries some of the most basic human rights. Their talk in diplomatic forums, contradicted by their actual behavior when their own interests are at stake, certainly cannot create binding law on other states.[12]

Advocates of the Palestinian right of return claim that refugees do return in postconflict situations, but there is actually very little relevant precedent showing that. This is especially true in the unique circumstances of the Israeli–Palestinian conflict. A few factors distinguish this conflict. One of them is the longevity of the conflict, which is unparalleled elsewhere. Another is the fact that the Palestinians were not then, and are not today, citizens of Israel, so the obligations of the state of Israel toward them are very limited, if they exist at all. The size of the Palestinian population compared to the Israeli population is also unique, which makes the Israeli prerogative not to let them in reasonable and certainly not arbitrary. Another factor is the fact that there has been no comprehensive peace settlement between the parties or even a permanent cessation of violence.

In sum, Palestinian refugees do *not* have a legal right to return to Israel.

In light of the absence of legal authority for a right of return and the fact that the continued demand for it makes the successful negotiation of peace impossible, the international community should find means of conveying a clear message to the Palestinians that they do not possess that specific right, ahead of negotiations. One way of doing so would be for a UN Security Council member to propose a UNSC resolution that would mirror Resolution 2334 (2016) with respect to Palestinian return.[13] Resolution 2334 denied the validity of Jewish claims east of pre-1967 lines and declared that the settlements had "no legal validity" and were "a flagrant violation under international law." It called on UN member states to "distinguish … between the territory of the State of Israel and the territories occupied since 1967." A proposed mirror UNSC resolution regarding Palestinian claims *west* of the pre-1967 lines would affirm that Palestinian demands to return to Israel within the pre-1967 lines have "no legal validity" and are a "flagrant violation under international law." Using the exact language of UNSC Resolution 2334, it would resolve that organizations promoting these demands must (as with settlements) "immediately and completely cease all activities," and call on UN member states to distinguish between legitimate Palestinian aspirations east of the pre-1967 cease-fire line and illegitimate and illegal Palestinian demands to return to the territory west of that line.

In addition to clarifying the nonexistence of the right itself, it is also important for the international community to reject any notion that recognition of that nonexistent right could somehow be part of a peace agreement, inserted as a "gesture" of goodwill toward the Palestinians. The fairly common idea that recognition of the right could be merely a "gesture" depends on the tendency to minimize the risk of its actual implementation. But this minimization of risk has served as a cover for the purpose of making the recognition of the right appear far less consequential than it really is.

Ever since the first efforts at rehabilitation of the refugees in the 1950s, various peacemakers have operated under an unfounded assumption that recognition of a Palestinian right of return could somehow be separated from its actual implementation. The Palestinians have always insisted on the uncompromising claim that not only do they possess a right of return but that such a right needs to be recognized and affirmed in any peace agreement with Israel. Faced with that demand, generations of peacemakers clung, in an exercise of wishful thinking but against all evidence, to the hope that the Palestinians would somehow be satisfied by mere recognition of the *principle* that every Palestinian has the individual right to return to the sovereign state of Israel. They hoped that the Palestinians could then be expected never to demand the full exercise of this right. These peacemakers argued, without basis, that any actual return would end up being minor and the Palestinians would ultimately demonstrate necessary flexibility on its implementation.[14]

The danger of recognizing and inserting such a nonexistent right into a comprehensive peace agreement should be evident. Doing so would provide a mechanism for perpetuating the demand for return, and thus the conflict. If a right exists, then there is a right to exercise it. No peace agreement is possible if either side is deemed to possess a right that is designed to override and invalidate the other side's sovereignty. If Israel acknowledges that such a right exists, it would be opening the door to repeated and indefinite demands for its implementation. There would be no end to the conflict and no peace. It is therefore necessary, and even urgent, in preparation for successful negotiations to create an environment where it is

abundantly clear that there is no such thing as a Palestinian right of return to the sovereign state of Israel.

The international community should make it clear that any peace agreement must include the complete rejection of the Palestinians' demand for return. Given that the consequences of implementation of Palestinian return would be drastic—the obliteration of a Jewish state—there is no room for beliefs or assumptions rooted in wishful thinking. There should be no further use of terms like "symbolic number," "on a humanitarian basis," "recognition in principle," or any phrase that could be interpreted by the Palestinians as an opening for return. When Palestinians complain that recognizing a Jewish state means relinquishing the right of return, the response should be, "Yes, that is exactly what it means." It is time for terms to be clearly defined and without any room for fuzzy terms like "agreed," "just," "fair," or "reasonable," which remain open to interpretation.

"Constructive ambiguity" has to be abandoned as an approach to making peace and replaced with "constructive specificity." A true commitment to a permanent peace agreement means sending this clear and precise message: there is no Palestinian right of return to the state of Israel.

ABANDONING UNRWA'S SYSTEM OF REFUGEE REGISTRATION

An absolute necessary condition that has enabled the growth and spread of the idea that millions of Palestinians possess a right of return has been the UNRWA registration system, which has designated and maintained millions of Palestinians as refugees. UNRWA currently registers 5.5 million refugees in its areas of operations (West Bank, Gaza, Jordan, Syria, and Lebanon). Palestinians claim there are as many as eight million.[15] Both are vastly inflated numbers. But the numbers are vastly inflated precisely to serve as an ever-increasing obstacle to reaching any agreement in which Jewish sovereignty is allowed to stand.

Theoretically, once it is established that under international law there is no right of return of Palestinians to the state of Israel, it should not matter that there are millions of Palestinian refugees registered by UNRWA,

because their registration would not grant them such a right. But the idea of return, as well as generations of Palestinians who have been registered, and view themselves, as Palestine refugees, has never been just about international law claims. Rather it has been primarily about politics and public diplomacy. Palestinians have insisted on the term "refugee" for what it evokes, not necessarily for specific effect under international law. After all, UNRWA and the donor countries would be the first to admit that UNRWA does not actually grant the Palestinians a refugee status as recognized in the Refugee Convention and in international law.

But even in the absence of the term "Palestinian refugee" creating a right of return to Israel, Palestinians have insisted on being registered as refugees in order to get public support and legitimacy for their demand for return, regardless of whether it is a right. They use this term in order to evoke sympathy for a crisis that, had it been dealt with like any other refugee crisis, would have ceased to exist years ago. It is about creating emotional sympathy for the Palestinians as refugees, and about creating an issue that needs to be solved, and the solution is return. Even in the absence of the term "refugee" creating any legal rights, the perpetuation of large numbers of Palestinians as refugees stands as an inherent obstacle to peace.

It is therefore necessary to go back to the beginning and review the very basis for the designation of Palestinians as refugees. UNRWA continues to use the original operational definition of "persons whose normal place of residence was Palestine during the period 1 June 1946 to 15 May 1948, and who lost both home and means of livelihood as a result of the 1948 conflict."[16] This definition requires only a short period of habitation in a certain territory and refers to loss of homes and livelihoods. While this definition may have made sense when used for the purpose of provision of immediate assistance after the war, it makes no sense and is counterproductive as an ongoing definition of Palestinian refugees to this day.

This working definition, which has never been subject to any serious examination in international bodies outside UNRWA, bears no resemblance to the definition of a refugee in international law according to the 1951 Refugee Convention of "someone who is unable or unwilling to return to

their country of origin owing to a well-founded fear of being persecuted for reasons of race, religion, nationality, membership of a particular social group, or political opinion." Note the difference between the internationally accepted idea that return is to one's country, whereas Palestinians insist on return to their specific homes.

Decades after it was created for operational and ostensibly temporary purposes, the term "registered refugee" remains UNRWA's unique invention. Not only does it underpin UNRWA's entire registration system, enabling it to escape international standards and practices, but it also enables Palestinians to leverage the image of refugees in the popular imagination as having just fled a conflict zone, suffering and in dire need of help, even when reality has long ago divorced from that image. One does not normally imagine refugees as middle-class individuals who have never fled their homes, live in permanent housing, work in white-collar professions, and enjoy the citizenship of a functioning state. But this description matches that of many more Palestinians than people might imagine just from the fact that they are still registered as refugees by UNRWA.[17]

The vast majority of those registered by UNRWA have never fled their homes. They are the descendants, by now into the fifth generation, of the original refugees. In 1965, UNRWA changed the eligibility requirements to be a Palestinian refugee to include third-generation descendants, and in 1982, it extended it again, to include all descendants of Palestine refugee males, including legally adopted children.[18] The result of this was the creation of a permanent and perpetually growing population of Palestinian refugees. This is one of the main reasons how a war that ended in 1949 with several hundreds of thousands of refugees can now be said to have produced more than five million.

UNRWA officials claim that there is nothing exceptional in transmitting refugee status through the generations and that the UNHCR does so, too, in cases of extended conflicts. But this is not true. There is no provision for refugee status based on descent in the 1951 Refugee Convention. UNHCR interprets the 1951 convention as favoring "family unity," and it implements this principle by extending benefits to the refugee's

accompanying family, who are granted "derivative refugee" status. However, whereas UNRWA transmits refugee status to Palestinian descendants *automatically*, with no discretion, and notwithstanding any changes in political or economic circumstances, UNHCR operates a case-by-case mechanism of verifying the dependence of each family member on the original refugee. There is no such thing as automatic status for refugee descendants. Other countries who determine the refugee status of applicants consider the option of derivative status as merely a recommendation and not a binding rule.[19]

UNRWA refuses to divulge how many registered refugees meet its own original definition of having lived in Mandatory Palestine between June 1946 and May 1948 and "lost both their homes and means of livelihood as a result of the 1948 Arab–Israeli conflict," but a calculation based on life expectancy produces an estimate that only a few tens of thousands, and at most 100,000, of the millions currently registered as refugees actually fled the war. The overwhelming majority of the 5.5 million registered UNRWA refugees are the descendants of the original refugees.

Another means by which the Palestinian refugee numbers are inflated by UNRWA's registration system is by refusing to accept the international standard that people who are citizens in their country are not refugees. The 1951 Refugee Convention clearly stipulates the circumstances that bring about the end of a person's refugee status, one of them obviously being the acquisition of new citizenship.[20] UNRWA ignores this, most prominently in Jordan. The Kingdom of Jordan granted citizenship to the Palestinian refugees who fled there (including at the time those in the West Bank, which Jordan occupied from 1949 to 1967). As a result, at least 40 percent, more than 2.2 million people, of Palestinian refugees are actually citizens of a functioning sovereign state. In addition, the overwhelming majority of the 2.2 million registered refugees in Jordan, who are its citizens, are descendants and were born in Jordan as its citizens.[21]

This means that in Jordan there exists a situation unlike anywhere else in the world, whereby citizens of a state, most of whom were born in that state, have lived there their entire lives, enjoy its protection, have never been displaced by war, travel freely with their state's passports, vote in its

elections, and are elected to high office, are designated as refugees from a different state.[22] Moreover, the image of what it means to be a refugee is very much divorced from reality in Jordan (but not only there). More than 80 percent of those registered as refugees in Jordan don't live in camps.[23] Many of them are middle-class professionals and some are well-known wealthy businessmen traveling across the Gulf for their business.[24] The Palestinians in Jordan are simply not refugees, by any stretch of the imagination.

A different but also highly problematic situation regarding UNRWA's registration system exists with respect to the West Bank and Gaza. There, the Palestinian registered refugees live in territories governed by either the Palestinian Authority (800,000 in the West Bank, not including East Jerusalem) or Hamas (1.4 million in the Gaza Strip) and consider themselves to be living in Palestine. They engage in efforts, many of which are successful, to have Palestine recognized as an existing state, either in international forums, or bilaterally. This means that 2.2 million people who are registered as Palestinian refugees are actually living in what they themselves claim, and seek recognition of, as Palestine.

So the central question is, if people living in Gaza, Bethlehem, Nablus, and Ramallah—all very much in Palestine—are registered as refugees from Palestine, which Palestine exactly are they refugees from? The Palestinian answer is clear—the Palestine that will one day replace Israel and stretch from the Jordan River to the Mediterranean Sea. The problem is that by continuing to support and fund UNRWA with its expansive definition of Palestinian refugee, the donor countries of the West are sustaining and fueling this vision. This, in spite of the fact that it is completely contradictory to the two-state solution, which the donor states themselves uphold, and in spite of the fact that it provides a permanent barrier to a peace agreement between Israelis and Palestinians.

If Palestinians truly sought to build a future for themselves in an independent Palestinian state in the West Bank and Gaza, living in peace side by side with the Jewish state of Israel, they would insist that Palestinians in the West Bank and Gaza could not possibly be refugees, since they are living in their own homeland and their own country and even

their future state. They would mark with satisfaction that under the Palestinian Authority, like in Jordan, the vast majority of the registered refugees do not live in camps, and they would take active steps to dismantle the remaining camps.[25] They certainly would not take visiting dignitaries, who have itineraries indicating they are visiting the state of Palestine, to proudly visit refugee camps in that very state.[26]

A people looking to build a future would take the opportunity to treat Gaza as their home. They would take advantage of the retreat of Israel from Gaza to build it into a model of Palestinian sovereignty, rather than turn it into a launching pad for an armed struggle for return. They would justifiably argue that they seek to be sovereign in these territories rather than occupied or constrained, but they would not claim to be refugees from some other country.

Unfortunately, this is exactly the message that Palestinians seek to convey when they insist on maintaining themselves as registered refugees while living in the West Bank and Gaza. They purposefully want to reinforce the idea that they are *not* settled in their country. Internationally, refugees are first and foremost recognized for being outside their country (otherwise they are considered "internally displaced" and deserve fewer protections than refugees). And so, if a Palestinian in Ramallah is registered as a refugee, it is designed to imply that his country is not Palestine of the West Bank, but somewhere else—namely, the state of Israel in its pre-1967 borders. For UNRWA to register Palestinians in the West Bank and Gaza as refugees, and for the West to sustain that, means in effect accepting the Palestinian claim that not only the West Bank and Gaza are Palestine but that the state of Israel should be Palestine.

In addition to the 2.2 million citizen refugees of Jordan and the 2.2 million Palestinian refugees in Palestine—together already more than 80 percent of the total number registered by UNRWA as refugees—another million remain registered in Lebanon and Syria. UNRWA's registration of that million, about half in Syria and half in Lebanon, is also marked by unique practices with no parallel in other refugee situations. Not only does this million include, as it does in Jordan and the West Bank and Gaza,

mostly descendants, most of them do not even reside in Syria and Lebanon anymore.

Many Palestinian refugees in Lebanon or Syria who long ago left the country and might have started a new life in Germany or the United States and even attained citizenship, are still listed as refugees by UNRWA. Whereas for all other refugees in the world, such a scenario would mean they are happily no longer refugees, UNRWA, as a matter of principle, does not of its own initiative take off its books, or even track, people who have left the countries in which it operates.

As a result of this unique policy, UNRWA continues to report a million refugees in Syria and Lebanon, even though the majority of them are long gone, and many of them might already be citizens of other countries. For example, a recent census conducted by the government of Lebanon revealed that only a third of those registered by UNRWA as refugees in Lebanon are actually in Lebanon.[27] Given the devastating war in Syria, the numbers of refugees still residing there are probably even lower. But UNRWA does not track them or ascertain their situation. So not only does UNRWA refuse to actively pursue policies that would end the refugee situation of Palestinians in Syria and Lebanon by means other than return, but when individual Palestinians succeed in building new and better lives for themselves in other countries, UNRWA takes no steps to account for that, and keeps them as refugees registered on its books.

UNRWA goes further and, even in those cases when its registered refugees have effectively attained the ability to exercise return, as seen in the example below, UNRWA still registers them as refugees. This could only mean that UNRWA's registration system serves a vision of a very specific kind of return. This truly extreme practice is most evident in the registration of refugees in East Jerusalem. After the Six-Day War, Israel effectively annexed East Jerusalem and its surroundings, applying its law and administration to these areas. Among the annexed Palestinian villages was Shuafat refugee camp, which housed at the time thousands of registered refugees. As a result, Shuafat's residents effectively fulfilled their demand for return. This was certainly not Israel's intention, but their status does permit them to return, because as legal residents of Israel, they have

the right to settle anywhere they want in the country, including the town they or their ancestors came from. Moreover, they can apply for citizenship on the grounds of proving their desire "to live at peace with their neighbours"—the complete fulfillment of the Arabs' own extreme interpretation of paragraph 11 of Resolution 194.

For the purposes of return it does not matter whether one thinks that Israel's annexation of East Jerusalem and the surrounding villages is legitimate or not. The refugees who have become residents of Israel have acquired in practice the ability to return. Given this, UNRWA could have announced that it had no more business within the new boundaries of Jerusalem and refused to register the refugees living in East Jerusalem and their tens of thousands of descendants as refugees. Yet UNRWA made no such announcement, and the inhabitants of Shuafat refugee camp, who for the most part were born after the 1948 War of Independence and after the 1967 annexation of Jerusalem, remain registered Palestinian refugees.

The case of Shuafat demonstrates that UNRWA's registration practices are entirely in the service of a political vision of collective, comprehensive, and full Palestinian return in a manner that undoes the state of Israel. It appears nothing less than that would lead UNRWA to remove Palestinians from its registration system of refugees.

UNRWA's registration system combines all these unique practices and definitions to create vastly inflated numbers of Palestinian registered refugees. It uses an obsolete operational definition of "Palestinian refugees" and creates a unique administrative category of registered refugees while pretending that it is related to the international category of refugees, and registers descendants automatically, comprehensively, and indefinitely as refugees. UNRWA's system refuses to acknowledge that citizens living in their own countries are not refugees, registers Palestinians who claim to be living in Palestine as refugees, and refuses to track the actual situation of the registered refugees to ascertain whether they have become citizens of other countries. Finally, it refrains from taking any steps toward ending the Palestinians' refugee status other than through full and complete return to the state of Israel, and continues to treat Palestinians who are able to exercise return as refugees still.

UNRWA's ability to avoid scrutiny and accountability for its refugee registration practices has been sustained by an opaque and unaccountable decision-making process. In the General Assembly, on whose authority UNRWA operates, the process of enabling UNRWA to make important decisions is essentially bureaucratic. UNRWA submits periodic reports, which are duly authorized. This means that one of the most important issues in one of the most widely reported conflicts in the world is decided upon by a few junior bureaucrats whom few have heard of, and whose behavior even fewer understand. For decades, UNRWA has sustained a parallel world of policy and executive decisions that serve the Palestinian narrative alone. UNRWA has effectively created an exceptional set of norms and standards with respect to the Palestinian refugees.

When all of UNRWA's unique and inflationary practices of refugee registration are reviewed and placed aside, it emerges that probably fewer than 5 percent (250,000 out of 5.5 million) of those currently registered by UNRWA as refugees could be seriously considered refugees. The other 95 percent are either citizens of a functioning state (in Jordan), or living in the Palestine they seek recognition of in the West Bank and Gaza, or pursuing new lives elsewhere. But even those approximately 250,000 who remain in Syria and Lebanon—who are the original refugees who fled war, as well as their descendants—if they had been treated and accepted treatment like the tens of millions of refugees from the bloody wars of the twentieth century, there would not have been Palestinian refugees today, just as there are no refugees from any other war of the 1940s and even the 1950s.

In reality, if the inflationary criteria UNRWA has used to register Palestinian refugees were applied to the rest of the world's population, there would not be just the twenty million refugees that UNHCR counts today.[28] Rather, a large share of the world's population, hundreds of millions of people, would be considered refugees—still. Worse, the result of such refugee perpetuation policies would have been a world stuck in a backward-facing mode, refusing to take any steps toward a new future. South Korea would still be the wasteland it was after the Korean War, rather than an Asian economic tiger. On both sides of the India–Pakistan border, tens of millions of refugees would sit seething, generation after generation,

continuing to claim the other country as their own. The United States would be deprived of much of its energy and become a country of refugees who refuse to build a future in it while constantly looking back to their mythologized previous lives, or actually to those of their great-grandparents. Hundreds of millions of refugees in Africa and Europe would sit in camps, nurturing resentments and fantasies of revenge, and no single nation's borders would be settled. Had the people in the rest of the world been registered as refugees in the same manner as UNRWA does for Palestinians, the long (relative) peace that has marked much of the world since the end of WWII would have been replaced by constant war.

DISMANTLING UNRWA: WHY

The tragic but inescapable reality is that UNRWA has facilitated the perpetuation of the Palestinian refugee problem rather than its resolution. Even the Swiss foreign minister, Ignazio Cassis, who thought that UNRWA "worked as a solution for a long time," pointed out after visiting a refugee camp in the West Bank in May 2018 that "today it has become part of the problem." Cassis added that UNRWA "provides ammunition to continue the conflict" and that "by supporting UNRWA we are keeping the conflict alive."[29] Indeed, the fiction that there are millions of Palestinian refugees could not have been sustained were it not for UNRWA, which registers them as such. UNRWA, its policies, and its practices have effectively given an international stamp of approval to the idea that the war of 1948 is not over, and that generations of Palestinian refugees should expect to return to Israel, which would then no longer exist as a Jewish state.

The desire to keep the 1948 war going explains why, when the UNHCR was established in 1950, the Arab states demanded to remove from its responsibility "persons who are at present receiving from [other] organs or agencies of the United Nations"—that is, UNRWA, which had been dealing with the Palestinian refugees since 1950. For the Arab states, it was obvious that if the Palestinian refugees were treated similarly to other refugees at the time, they would not remain refugees for long. The Arab states therefore

took pains to carve out an exception, designed for the Palestinians, from the Refugee Convention and the UNHCR mandate.

The creation of the UNRWA exception meant both that UNRWA could register millions of people as refugees over decades who do not meet the basic criteria applied to every other group of refugees in the world, and that it could avoid pursuing any solution for the Palestinian refugees other than full and comprehensive return to Israel when, in all other refugee situations, rehabilitation in place and resettlement in third countries are considered equally legitimate solutions.

Since UNHCR's mandate is to implement the 1951 Refugee Convention, it works to find a personal solution for each refugee so that they are no longer refugees in need of its protection. UNHCR is under no obligation to repatriate refugees as the only solution for ending their refugee status and can, and ordinarily does, pursue efforts to secure other solutions to end their refugee status.[30] This is particularly the case when it becomes clear that the state of belligerency will persist, as has been the case with Israel and the Palestinians.

Western donors to UNRWA strongly reject the contention that in supporting the UNRWA exception and its inflationary registration practices, they are underwriting the Palestinian vision of return. There is, however, a direct connection between their economic and political support for UNRWA and the Palestinian demand for return.

The international (and especially Western) community's support for UNRWA is substantial and long-standing. Unlike UNHCR, UNRWA is a temporary agency (still), and does not receive a regular budget from the United Nations, except for a small budget for its international management.[31] It therefore has to repeatedly raise funds from donor countries. UNRWA's annual budget for standing costs and special projects, which has stood at around $1.2 billion in recent years, comes largely from the West. For decades the United States contributed almost one-third of the total (some $370 million annually in recent years). It did so until its 2018 decision to defund UNRWA.

Normally Europe as a whole contributes roughly half of UNRWA's total budget. Before increasing its share in response to the US defunding, the

European Union contributed some $160 million, with individual European states, including Germany, the United Kingdom, Sweden, Switzerland, Norway, and the Netherlands, contributing an additional $400 million. Japan, Australia, and Canada contribute another $80 million.[32]

This means the West has been supporting UNRWA financially for seventy years, contributing tens of billions of dollars not toward solving the refugee problem, but toward perpetuating it. Officially, Western states are committed to advancing an Israeli–Palestinian peace agreement based on a two-state solution: a Jewish state of Israel and an Arab state of Palestine. But by supporting UNRWA, they are simultaneously nurturing the Palestinians' demand to return to Israel in complete contravention of this stated policy.

Western diplomats resort to several explanations for this glaring contradiction between their countries' official policies and the ongoing financial support for UNRWA. Their main argument is that the refugee problem must be solved in a comprehensive peace settlement, until which point Western support for UNRWA is "humanitarian." A related argument is to deny the notion that Western economic support for UNRWA means that somehow the donor countries support the Palestinians' demand for return. But Palestinians are insistent that UNRWA, and Western support for it, are "the embodiment of the promise of international justice for the Palestinian refugees," and as far as the Palestinians are concerned, "justice" for the refugees means return.[33]

The Palestinians' reading of the situation is the more reasonable. The West's argument that substantial, ongoing economic support for an organization with a clear political agenda does not necessarily entail support for that agenda points to the West's blindness or naïveté. This is especially so since it was obvious to Western states as early as the 1950s that their capitulation to the Arabs' demand to keep UNRWA open, long after the failure of its rehabilitation schemes became clear, was a form of geopolitical bribery designed to purchase the Arab states' goodwill.

Even if Western diplomats and officials are unaware of the political context of the West's capitulation over UNRWA in the 1950s and have genuinely convinced themselves that there is no connection between their

countries' support for UNRWA and support for the Palestinian demand for return, it is unclear why they refrain from taking a position on this final-status issue at the same time that they routinely take clear positions on others, such as Palestinian statehood, borders, and settlements.

If Western diplomats applied their policy on UNRWA and on the Palestinian refugee question to the settlements and Israel's presence, they would have actively given the settlements economic and political support for decades while deflecting any criticism with the argument that the issue would be resolved in final-status talks. To that end they would have also adopted existing legal opinions that argue that settlements are legal.

For Western countries, not taking a publicly stated position on the refugee issue means that Palestinians could persist in the belief that their expectations for return would be met in the future. Compounding this silence with consistent substantial economic support for UNRWA and its policies, which specifically support the Palestinian right of return, undeniably indicates support for the Palestinian position and that position only.

The sad truth is that had UNRWA truly been dedicated to humanitarian assistance rather than political goals, it could have declared success decades ago and wrapped up its operations. Thanks to UNRWA, the Palestinians have received strong education services that have made them one of the most highly educated groups in the Arab world. They have been integrated into local Arab economies wherever permitted and they have the skills to integrate even into competitive Western economies. But UNRWA has no interest in wrapping up its operations and declaring success, because success can only be found in full and comprehensive return. This is why the numbers of refugees UNRWA registers only ever go up. UNRWA thereby guarantees itself a role for eternity and the warring sides another century of war.

For UNRWA, guaranteeing itself a job in perpetuity is a key motivation because unlike UNHCR, it is an organization *of* Palestinians *for* Palestinians. UNRWA is the Palestinians' single biggest employer after the Palestinian Authority. UNHCR, on the other hand, is an organization of UN officials for refugees. UNHCR neither employs the refugees nor is managed

by them. UNRWA, however, with the exception of a very thin stratum at the top, is a thoroughly Palestinian organization. Teachers in UNRWA schools are primarily Palestinian registered refugees, as are staff in UNRWA hospitals and welfare bureaus. On its website, UNRWA prides itself on employing some 30,000 Palestinian refugees and "a small number of international staff."[34]

For comparison's sake: in 2019, UNHCR dealt with approximately 20 million refugees using a staff of nearly 17,000 employees, who were not refugees but agency personnel.[35] UNRWA registered 5.5 million refugees serviced by a staff of over 30,000, nearly all of whom are Palestinian. This means that the ratio of staff to registered refugees at UNRWA is seven times higher than in UNHCR. For all intents and purposes, UNRWA is a Palestinian organization under the international cover of the United Nations.

UNRWA acts under the guise of the United Nations and cover of concern for refugee rights to effectively ensure that the conflict with Israel will continue and remain intractable. Unless the goal of the West is indeed to keep the 1948 war going until Arab victory reverses Jewish sovereignty, it is dangerously counterproductive to maintain UNRWA. Maintaining UNRWA sends a message that the West supports the Palestinian goal of an exclusive Arab Palestine from "the River to the Sea." Dismantling UNRWA would therefore be a crucial step toward peace between Israelis and Palestinians that is not based on the Palestinian vision of no Israel.

It is true that dismantling UNRWA and its mechanism of registering refugees is not likely to immediately transform the Palestinian vision of return. But allowing UNRWA to remain in its present form guarantees the perpetuation of the refugee problem and hence the conflict. For decades, Western blindness, willful or not, means that the West has been complicit in creating and fueling the very incubator that nurtured and developed a belligerent Palestinian nationalism devoted to a vision of return. UNRWA is not a marginal, lone organization in a sea of UN agencies active in the region, nor is it neutral. Despite containing the initials "UN," UNRWA is not really a UN agency. It is an active party in the Palestinian–Israeli conflict. UNRWA cannot reverse policies and practices that it has employed for seventy years and that have become nothing but a means to perpetuate

the very problem it was created to solve. UNRWA cannot be reformed. Dismantling it is a necessary condition for forging a true path to peace.

DISMANTLING UNRWA: HOW

In January 2018, Nikki Haley, the United States ambassador to the UN at the time, announced that "the President has basically said he doesn't want to give any additional funding to UNRWA, or stop funding, until the Palestinians agree to come back to the negotiation table."[36] Immediately backing up Ambassador Haley's comments, President Trump tweeted: "We pay the Palestinians HUNDREDS OF MILLIONS OF DOLLARS a year and get no appreciation or respect. They don't even want to negotiate a long overdue peace treaty with Israel … but with the Palestinians no longer willing to talk peace, why should we make any of these massive future payments to them?"[37]

What followed was a nine-month struggle between the US State Department on one side and President Trump and Ambassador Haley on the other regarding continued funding. In August 2018, the internal struggle was settled in favor of defunding UNRWA. A statement, issued reluctantly by the State Department on behalf of the United States, said that "the fundamental business model and fiscal practices that have marked UNRWA for years—tied to UNRWA's endlessly and exponentially expanding community of entitled beneficiaries—is simply unsustainable and has been in crisis mode for many years." Therefore, "the United States will no longer commit further funding to this irredeemably flawed operation."[38]

While the statement did highlight UNRWA's "irredeemably flawed operation," it ultimately focused more on the financial aspect, noting that the US is "no longer willing to shoulder the very disproportionate share of the burden of UNRWA's costs that we had assumed for many years."[39] Because the focus was on budget gaps and "burden sharing," the US did not take further steps to get other countries to defund UNRWA, nor did it make any serious effort to explain to the diplomatic community and to the public how exactly UNRWA created this "endlessly and exponentially expanding community of entitled beneficiaries" and why it had become an

"irredeemably flawed operation." Little to nothing was done to highlight the potential connection between defunding UNRWA and promoting peace. As a result, Trump's defunding appeared purely punitive. European countries and the EU in particular rushed to fill the budget void, assuming that the US position was temporary. This effectively ended the short public and media discussion about UNRWA.

The manner in which the US defunded UNRWA and the resulting European response became a tragically lost opportunity. There are far better and more effective policies that would dismantle UNRWA in a manner that would further the cause of peace and well-being for both Israelis and Palestinians.

Donor countries often argue that nothing can be done about UNRWA because the agency's mandate is authorized by the UN General Assembly, where the Palestinians enjoy an automatic majority and no state holds veto power. But even if UNRWA's mandate is set and renewed by the UN General Assembly, its budget is almost totally dependent on the goodwill of Europe, Canada, and Australia (with some still hoping that the US will return to funding the organization). So as long as UNRWA's main operating budget is not covered by the United Nations' regular budget, these countries have serious leverage to influence UNRWA, independently of voting patterns at the UN General Assembly.

But even when grudgingly accepting that donor countries do have substantial leverage over UNRWA due to their financial contributions, European diplomats and policymakers refrain from using this financial leverage by citing security concerns. They argue that UNRWA is a moderating force and preferable to radical groups like Hamas, which would take advantage of UNRWA's absence to foment chaos and violence.

But arguments about UNRWA's moderating force have lost credibility after failing the test of time. While UNRWA is not a direct participant in violent or terrorist activity, everything it does functions to keep alive the ethos that animates and encourages a violent Palestinian struggle. It is no coincidence that Lebanon and Gaza, where refugee culture has been the most extreme, are home to the most vitriolic forms of Palestinian extremism. There is an intimate connection between UNRWA and the fact

that its camps in Gaza and Lebanon have been the sites of the most intense rounds of Israeli–Palestinian violence. UNRWA is not a moderating force in the conflict. Worse, by disguising itself as a moderating force, UNRWA actually provides a cover for the most serious cases of Palestinian radicalization.

The mistaken notion that UNRWA is a moderating force stems largely from the fact that UNRWA provides education and health care services to those it registers as refugees. But these valuable services could be provided without perpetuating the Palestinian refugee situation. For decades, Western policy has been based on the flawed assumption that there was a choice only between two extreme options—give UNRWA full protection, or face a broad-based Palestinian uprising and perhaps broader Arab violence—so the choice has been to give UNRWA full protection. No attempt has ever been made to formulate a more nuanced, creative, or visionary policy that would withhold full protection from UNRWA while simultaneously limiting the dangers of doing so.

But such a policy does exist. There is a rational, humane, and effective way to approach the Palestinian refugee issue. It would facilitate the provision of aid, health, and education services to Palestinians in need, while at the same time detaching the provision of these services from the political objective of preserving and nurturing the demand for return.

It is crucial that the end goal of the policy be clearly defined as dismantling UNRWA. Any policy that seeks small reforms, such as changing the content of the textbooks to be less reflective of the ethos of a violent struggle for full return, or removing UNRWA staff who have been caught making anti-Semitic remarks on Facebook, or vetting UNRWA staff to make sure they are not active fighters in Hamas, would merely serve to delay the necessary end. Undoubtedly, these are important and troubling issues, but variations of them have been present since the 1960s. Raising these issues allows UNRWA and its supporters to announce that they are dealing with the problem and thereby divert attention away from the fact that the root of the problem is UNRWA itself, its structure, and its entire essence and operation.

The obvious place to begin the process of dismantling UNRWA is the territory governed by the Palestinian Authority. UNRWA's operations should be merged into those of the Palestinian Authority. Donor states could divert all financial support earmarked for running UNRWA schools and hospitals toward the Palestinian Authority. From a practical perspective and from the perspective of the aid dispensed, nothing would change but the sign on the door. UNRWA schools would become PA schools, but the pupils, teachers, and curricula would remain the same. The same goes for hospitals. The same quantity and quality of aid currently provided by UNRWA would continue, but it would come through the Palestinian Authority. The donor states could continue supporting these services as much as they want, but the funding would go through the Palestinian Authority.

Currently, the Palestinian Authority provides the same educational and social services as UNRWA and in the same territory. This means that in the same cities in the West Bank, PA and UNRWA schools and hospitals work side by side. The PA's services are presented as a crucial part of a state-building effort, in preparation for peace based on a two-state vision, whereas at the same time and in the same territory UNRWA operates a parallel system that preserves the dream of a "Palestine from the River to the Sea." If donor countries are serious about the promotion of peace, it makes no sense to preserve a parallel UNRWA system in the Palestinian Authority.

The message conveyed through the process of transferring UNRWA's operations to the PA would be clear. Palestinian refugees would no longer be receiving aid from a UN agency whose purpose is to sustain them while they wait to return to Haifa. Instead, their situation would approximate much more the state-building vision of them being settled citizens in their own state receiving social services from their own government.

This transfer of operations could be done gradually in a way that emphasizes Western willingness to support Palestinian needs, but not nurture the vision of return. Throughout the interim transition period, it would be very helpful if Western donor states declared that although they are temporarily continuing their economic aid to the Palestinians through

UNRWA, this should not be misconstrued as political support for the Palestinian demand for return. If Western states do not in fact see their financial support for UNRWA as political support for a Palestinian right for return, they should be able to say so openly.

During the transition phase, the transfer of funds could be conditioned on achieving specific milestones in the process of dismantling UNRWA. During that time, the funds could be held in escrow until the milestones are reached. Holding the funds in escrow would demonstrate that the West is willing to help but no longer write a blank check. The transfer of funds could, for example, be directly and proportionally conditioned on the transfer of a certain number of facilities to the Palestinian Authority's management.

It is of course possible that the refugees themselves, as well as the PA, would resist the transfer of operations from UNRWA to the PA. But if such a plan, which does not decrease funding and keeps the services as they are, is rejected because of the politics of return, this would be exactly the point at which Western donors should make it clear that they will no longer use their taxpayers' money to support an agency that directly contradicts and undermines their very own foreign policy of promoting peace by means of two states.

While the Palestinian Authority represents the most obvious choice for dismantling UNRWA, the Gaza Strip is a case apart. Theoretically, donor countries could adopt a similar policy to the one in the West Bank, given that the PA is still officially in charge of Gaza. But in practice, there may be a need for an approach that recognizes the different situation in the Hamas-ruled Gaza Strip. There is a broad consensus to try to prevent deterioration of the situation in the Gaza Strip, and with the ongoing rift between the Palestinian Authority and Hamas, UNRWA has become the primary mediator in handling international assistance for the Strip.

The problem is that UNRWA cannot be a true and honest partner in the rehabilitation of the Gaza Strip. UNRWA's involvement as a major player in rehabilitation efforts in Gaza has been a key source of their failure. The essence and impact of UNRWA's work in the Gaza Strip is to make clear to the 1.4 million registered refugees (comprising 80 percent of the Strip's

total population) that Gaza is not their true home, and that their true home lies beyond the fence and was taken from them by force in 1948. This dream of return is nurtured not only by Palestinian parents and grandparents—every day Palestinians walk Gaza's streets and see signs belonging to a UN agency formed specifically to deal with Palestinian refugees. This to them is a very clear sign that the international community still recognizes them as refugees and encourages them to return to Israel.

Just like the refugees living in camps in the West Bank, these Palestinians have lived their entire lives believing that their home—where they, their parents, and many of their grandparents were born—is not their real home but a temporary abode, a way station while they await a return to their real home (inside the state of Israel). This is a major reason why Palestinians in Gaza continue to use the cement provided by foreign aid not to build permanent houses to alleviate the crisis, but to dig terror-attack tunnels leading into Israel.[40] Sustained by UNRWA in their vision that they are refugees from the land beyond the border between Gaza and Israel, and that the state of Israel stands between them and what they view as their just and fundamental right of return to their real homeland, they feel justified in taking up any and all forms of armed resistance against Israel.

Any benefit, therefore, to collaboration with UNRWA in Gaza is greatly outweighed by the damage. Real rehabilitation could only be rooted in a vision by which the future for Gazans is in Gaza, not in the state of Israel. Rehabilitation efforts should no longer be entrusted to UNRWA, which undermines this simple message.

The policy of Western donor countries in Gaza should therefore be to secure alternative providers of services in Gaza so that UNRWA would be fully phased out of Gaza. If tensions between Hamas and the PA mean that the Palestinian Authority cannot assume responsibility for the provision of services, donor countries could push for the establishment of a new umbrella organization, or one based on existing organizations, whose only purpose is the rehabilitation of Gaza. All international donations for rehabilitation and local needs could be funneled through this new organization, which would be charged with dealing with the entire population of Gaza and would operate schools and hospitals and dispense

other forms of aid without reference to refugees and without refugee status being a determining factor in the provision of its aid.

In Jordan, the path to dismantling UNRWA is the most straightforward. There are 2.2 million registered refugees in Jordan, nearly all of whom are also Jordanian citizens—so not actual refugees, under internationally accepted definitions.[41] Most of them do not even use UNRWA services, and UNRWA's budget for its operations in Jordan is relatively low, compared to the number of refugees it registers there.[42] There is therefore no actual reason for UNRWA to operate in Jordan at all. Given especially that there is a clear address for an alternative provider of UNRWA's services in Jordan—the Jordanian government—donor states could directly transfer to it their aid budgets for UNRWA in Jordan.

In Jordan, however, the path to dismantling UNRWA is also the most sensitive politically, given that the issue of the Palestinian refugees is considered directly related to the stability of the Hashemite regime, a valuable Western ally. On July 21, 1951, King Abdullah of Jordan was assassinated by a Palestinian nationalist from the Husseini clan while visiting the Al-Aqsa Mosque in Jerusalem because, among other things, he was willing to make peace with the young state of Israel without demanding return, and even naturalized all the refugees in the West Bank and Jordan toward that end. Given that 70 percent of Jordan's citizens are Palestinians (rather than members of the Bedouin tribes), the Hashemite Kingdom has become deeply wary of addressing the Palestinian refugee issue ever since the king's assassination.

It is precisely because of the Jordanian monarchy's desire to preserve its own stability and support, certainly among the kingdom's Palestinian majority, that it sees a need to keep the status of the registered refugees on its soil ambiguous. It is difficult, bordering on impossible, to get a consistent answer from Jordanian officials to the question of how the Jordanian state sees its own citizens. Some say that they are unambiguously Jordanians while others say that they are unambiguously Palestinians, who will one day return west of the Jordan River. The Jordanian regime sees its ability to entertain both these claims simultaneously as a condition for its own survival.

For donor countries, therefore, there is a genuine fear that drawing attention to the status of the Palestinian refugees in Jordan and dismantling UNRWA's operations there would have major consequences for the stability of its regime. But the fact that some political considerations dictate the need to register Palestinians as refugees cannot conceal the basic reality that they are simply not refugees. Moreover, the long-term stability of the region would be served much better by solving the conflict and removing the greatest obstacle to its solution by ending the fiction that there are millions of Palestinian refugees with a right of return to the state of Israel.

The policy of donor countries should therefore be to chart a path to end UNRWA's activities in Jordan, and transfer all educational and health care services for the 2.2 million registered refugees to the government of Jordan while reducing the risks to the Jordanian regime. Such a policy would have to be crafted so that it is clear that the Jordanian regime faces absolutely no choice in the matter. Dismantling UNRWA in Jordan has to be done as a unilateral and determined act of the West, so that the Jordanian regime would be able to tell its own people that it did all it could to prevent this, and failed. Jordanian officials could of course continue to claim that from their perspective they believe Palestinians still possess a right of return—but UNRWA and the West would no longer be providing international legitimacy to that claim.

Jordan would then have no choice but to provide the school and health care services in UNRWA's stead, as it does for all its citizens. Western countries could then separately provide increased aid to Jordan for doing so—but only after it has been made crystal clear that the Jordanian regime had absolutely no choice in the matter.

As for registered refugees in Syria and Lebanon, a different policy is required. Whereas it is clear that Jordan's citizens are not refugees, and those living in Gaza and the West Bank are living already in the Palestine for which they seek recognition, the refugees registered in Syria and Lebanon are in a different situation. Syria's approach to the Palestinian refugees has enabled them and their descendants to be integrated with great success over the years into the local economy and to enjoy effective residency status, albeit without official citizenship. Between 1949 and 1956,

the Syrian government passed laws specific to Palestinian refugees, granting them civil rights on par with those of Syrian citizens, with the exclusion of the right to vote and the right to citizenship. This process culminated in a 1956 law that stated that Palestinians living in the Syrian Arab Republic are on equal footing with Syrian citizens "in all the laws and valid regulations regarding the rights of employment, commerce and military service while retaining their original nationality."[43]

But assuming that the census in Lebanon gives some indication about the situation in neighboring Syria, and certainly since the bloody war in Syria, it is highly likely that only a fraction of the half million refugees registered by UNRWA are actually still residing in Syria. Addressing the issue in Syria, then, necessitates obtaining a proper accounting of registered refugees who actually reside in Syria as a first step. Once accounted for, those who still reside in Syria, the original refugees as well as their descendants, should be transferred to the care and protection of UNHCR. In doing so, they would become official refugees subject to the protection of the refugee convention. In parallel, UNRWA would cease its operations in Syria, and the funding for UNRWA in Syria would be transferred in its entirety to UNHCR. UNHCR would then operate in the same manner that it operates with other refugee populations around the world. While offering them interim protection, it would seek and implement individual solutions that would end the refugee status of all the Palestinians remaining in Syria, either by becoming full citizens of Syria or resettling elsewhere.

It is worth noting that the civil war in Syria highlighted even further the paradoxes inherent in the unique manner in which Palestinian refugees are classified and treated differently from every other group of refugees in the world. The civil war has forced millions of Syrians, including Palestinian refugees living in Syria, to flee to neighboring countries, including Lebanon and Jordan, where UNRWA has official operations. In those countries, the Syrian citizens are cared for by the UNHCR, which is making efforts to find solutions to end their refugee status, whether by integration in their host countries, resettlement in third countries, or repatriation when the conflict ends and if it becomes possible.

The Palestinian refugees from Syria, however, continue to be registered as refugees from Palestine rather than Syria and cared for by UNRWA rather than UNHCR. This, despite the fact that they were habitually residents in Syria, where they had legal status and had fled their homes due to the Syrian civil war. By every international standard, they should be treated like every other Syrian refugee and cared for by UNHCR. But when the conflict in Syria ends, those Palestinian refugees who will return to Syria will still be treated as refugees, waiting to return one day to Palestine. And those Palestinian refugees who, for example, managed to flee to Europe and became citizens of Germany, would remain on UNRWA's books in Syria as registered refugees. Whereas UNHCR would happily consider Syrians who fled from Syria and gained citizenship in Germany as no longer refugees, UNRWA would still register them as Palestine refugees.

Donor countries should demand that the status of the Palestinian refugees who have fled Syria be equalized with that of the other refugees from Syria and that they be transferred to the full responsibility of UNHCR. These refugees should be treated according to UNHCR standards and duly registered as refugees from Syria and not Palestine. UNHCR should treat Syrian refugees of Palestinian origin exactly as it treats Syrian refugees of any other origin: provide them protection and services while working to end their refugee status through repatriation to Syria, integration in host countries, or naturalization as citizens in any other third country.

Lebanon is also a unique situation. Out of all the Arab countries to which the Palestinian refugees fled during the 1948 war, the country in which they were treated the worst is Lebanon. It neither naturalized them like Jordan, nor integrated them economically like Syria. In reality, Lebanon created a system of extreme state-sanctioned discrimination against the Palestinian refugees. The Palestinian refugees and their descendants in Lebanon have been prohibited from employment in over twenty professions and their ability to enter and exit the country is highly limited. Around half live in refugee camps (a similar rate to Gaza) and many live in dire poverty. It is no coincidence that Lebanon hosts far worse forms of Palestinian extremism than either Syria or Jordan. This is a strong

indication that the true moderating force with respect to Palestinian refugees is not UNRWA but naturalization or economic integration.

The policy with respect to the Palestinian refugees in Lebanon should be, as with the refugees from Syria, to transfer responsibility for Palestinian registered refugees from UNRWA in Lebanon to UNHCR, with a view to ending their refugee status by means other than return. Donor countries would transfer the funding that currently goes to UNRWA in Lebanon to UNHCR. Again, this should be done only once the actual numbers and identities of those who are still residing in Lebanon is ascertained. In 2017, an official census in Lebanon found that the number of registered refugees living there was only one-third of the number in UNRWA's records.[44] Since the refugee population in Lebanon is much smaller than was previously thought, it should be much easier to find individual solutions for them. Once UNHCR assumed responsibility, the Palestinian refugees—the original ones and their descendants—would become true refugees, deserving of the protections of refugees. This means that UNHCR would advocate to end the discriminatory regime against them in Lebanon, while it would also seek solutions of resettlement in third countries and even attempt naturalization in Lebanon, at least for a few.

An excellent recent example of how UNHCR operates, and could operate in Syria and Lebanon once it received responsibility for the Palestinian refugees still residing there, is its treatment of ethnic Nepali refugees from Bhutan. In the 1990s, tension between the ethnic Bhutanese and the ethnic Nepali minority in Bhutan escalated into violence. Tens of thousands of ethnic Nepalis of Bhutan fled or were expelled to adjacent Nepal, where the population was of a similar ethnic composition. At their peak, ethnic Nepali refugees in Nepal numbered more than 100,000. They lived in seven camps administered by UNHCR.

Nepal and Bhutan held talks for several years but were unable to solve the crisis. In 2007, seventeen years after the first refugees started arriving in Nepal and around a decade after their number peaked at 100,000, UNHCR announced that it was initiating a plan to resettle the refugees in third countries. The United States absorbed the large majority, with the rest going to Canada, Australia, New Zealand, Norway, the Netherlands, and Britain.[45]

There are many similarities between this case and the Palestinian refugees. Here, too, the refugees were ethnically similar to the populations of the countries to which they fled. Here, too, the refugees demanded repatriation (return), but as an ethnic minority were rejected by a country whose ethnic Bhutanese majority was culturally very different (even though here, unlike the Palestinian refugees with respect to Israel, the ethnic Nepali refugees had citizenship in Bhutan). Here, too, negotiations failed to produce a political settlement. But, unlike UNRWA, once it became clear that repatriation was impractical and unlikely, UNHCR took decisive action to find alternative solutions. With the Refugee Convention, UNHCR has no interest in political questions like blame, responsibility, historic justice, or whether it is acceptable that the refugees have no reasonable prospect of returning. Its concern is to find an expedient and workable solution for refugees so that they are no longer in need of its protection.[46] If UNHCR is allowed to operate in Syria and Lebanon in the same manner, it is possible to expect that within a few years the Palestinian refugees still residing there would no longer be refugees.

The totality of implementing these various policies in each of UNRWA's areas of operations would lead to the dismantling of UNRWA. These steps would signal clearly that the West is no longer willing to underwrite an organization designed to keep Palestinians in a situation of sustained limbo awaiting return. This would dislodge one of the main obstacles to peace.

Palestinians cannot be prevented from dreaming of a time before the birth of the state of Israel nor of return to a mythical Palestine. But it is certainly possible to detach this dream from its sources of fuel and international support. The road to peace can only be cleared if the Palestinians understand that their claims over the whole of Palestine from the river to the sea have no international support, just as Israel has no international support for its claims to territory beyond the 1967 line. Palestinians would probably continue dreaming of having Jaffa and Haifa, just as Jews would continue dreaming of having Hebron and Judea—but both these dreams would remain precisely that. They would be dreams, not claims, and certainly not claims enjoying even tacit international support. While Palestinians, even without the seal of a UN refugee agency, might

still come to the negotiating table with demands for a mass return, it would be much less likely, and at the very least they would no longer be able to argue that they have international support in favor of such demands.

This process must start now. There must be no waiting for the messianic age of a permanent peace agreement. The Palestinians' demand for return is only growing under the umbrella of Western blindness and indulgence. The policy of kicking the can down the road might appear harmless, but it actually exacts an ever-growing price in continued conflict. The can kicked down the road does not remain small: it grows with every rotation, gets filled with dangerous chemicals, and turns into a barrel of explosives placed right under the conflict.

This heavy price is paid in the heightened flames of war and the substantial injury to the prospects for peace. Unless resources are dedicated to dismantling the barrier of Palestinian return, there will be no peace between Israel and the Palestinians. As long as the Palestinians feel that they are supported in their vision of an Arab Palestine from "the River to the Sea," they will continue their struggle, armed and otherwise, against Israel.

The obligation of anyone who truly and earnestly wants peace must be to act now to remove obstacles to that vision. Rather than fuel the growth of obstacles and hope that by some magic the sides can achieve peace despite these obstacles, it is far wiser to remove those obstacles so that peace can actually be attained. And there is no greater obstacle to peace than the Palestinians' demand for return and the organization—UNRWA—that has enabled this demand to continue growing over so many decades.

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NOTES

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